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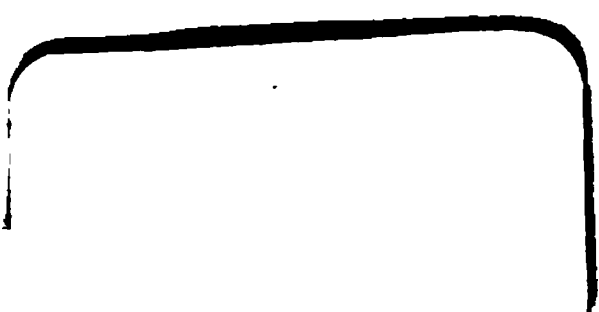
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REPORT OF THE
COMMISSIONER OF THE
GENERAL LAND OFFICE

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V. 1

L A W S

OF

THE UNITED STATES

OF A

LOCAL OR TEMPORARY CHARACTER,

AND

**EXHIBITING THE ENTIRE LEGISLATION OF CONGRESS UPON
WHICH THE PUBLIC LAND TITLES IN EACH STATE
AND TERRITORY HAVE DEPENDED.**

December 1, 1880.

**EMBRACING, ALSO, A DIGEST OF ALL INDIAN TREATIES AFFECTING THE
TITLES TO PUBLIC LANDS; AN ABSTRACT OF THE AUTHORITY FOR,
AND THE BOUNDARIES OF, THE EXISTING MILITARY RESERVA-
TIONS; AND A TABLE OF JUDICIAL AND EXECUTIVE
DECISIONS AFFECTING THE VARIOUS SUBJECTS
ARISING UNDER THE PUBLIC LAND SYSTEM.**

VOLUME I.

**Prepared pursuant to the authority of an act of Congress and under the direction of the "Commission
on the Codification of existing laws relating to the survey and disposition of the public domain."**

**WASHINGTON:
GOVERNMENT PRINTING OFFICE.
1880.**

P R E F A C E .

This work was prepared by the Codification Committee of the Public Land Commission, which was created by an act of Congress approved March 3, 1879 (Statutes at Large, vol. 20, p. 394), and continued by an act of Congress approved June 16, 1880 (Statutes at Large, vol. 21, p. 245).

It contains in chronological order, in each State and Territory connected at any time with the public land system, the entire legislation of Congress of a local or temporary character, and upon which the land titles of such State or Territory have depended.

For convenient use the work has been published in two volumes. A series of consecutive numbers has been prefixed to the laws through both volumes; and by proper notation of such numbers in foot notes, each act is connected with all other acts upon the same subject. Where the same legislation runs equally through more than one State or Territory it is published complete in one, and appropriate references are made in the other.

It contains, also, a digest of all Indian Treaties affecting the titles to public lands; a list of all existing military reservations, with the authority therefor and the boundaries thereof; and a copious citation of cases, wherein, by subject-matter, the leading decisions of the Federal and the State courts and of the United States executive officers upon public land questions may be readily referred to.

The existing legislation of a general and permanent character has been omitted from this book. The same appears in another volume, wherein a codification of such legislation is furnished as it exists on the 1st of December, 1880.

CONTENTS.

	Page.
I. CITATION OF JUDICIAL AND EXECUTIVE DECISIONS.....	vii-lxiii
II. ACTS OF CONGRESS LOCAL OR TEMPORARY IN THEIR NATURE:	
ALABAMA	596
ARIZONA TERRITORY	979
ARKANSAS	488
CALIFORNIA.....	1019
COLORADO	952
DAKOTA TERRITORY.....	826
FLORIDA	655
IDAHO TERRITORY.....	846
ILLINOIS	144
INDIANA	96
INDIAN TERRITORY.....	702
IOWA	747
KANSAS.....	849
LOUISIANA.....	295
MICHIGAN	187
MINNESOTA	782
MISSISSIPPI	526
MISSOURI	409
MONTANA TERRITORY	841
NEBRASKA	897
NEVADA	1081
NEW MEXICO TERRITORY.....	940
OHIO	1
OREGON	983
TENNESSEE	1091
TEXAS	1099
UTAH TERRITORY	971
WASHINGTON TERRITORY.....	1008
WISCONSIN	249
WYOMING TERRITORY.....	835
III. MISCELLANEOUS ACTS	1102
IV. MILITARY RESERVATIONS	1171
V. DIGEST OF INDIAN TREATIES	1185
VI. INDEX.....	1227

CITATION

OF

JUDICIAL AND EXECUTIVE DECISIONS

Upon the various subjects connected with, and springing from, the public land system.

ABANDONMENT—

When authorized:

Taylor's lessee *v.* Myers, 9 Wheat. 23.
Com'r G. L. O., circular, Feb. 26, 1867, Zab.
L. L. 400.

What constitutes:

United States *v.* Simon, 12 How. 433.
Fuentes *v.* United States, 29 How. 443.
Hall *v.* Russell, 11 Otto, 503.
Page *v.* Scheible, 11 Mo. 109.
Landers *v.* Perkins, 12 Mo. 238.
Barado *v.* Blumenthal, 20 Mo. 162.
Tayon *v.* Laden, 33 Mo. 205.
Clark *v.* Hammerle, 36 Mo. 620.
Atchison *v.* Peterson, 1 Montana, 561.
Plume *v.* Seward, 4 Cal. 94.
Davis *v.* Butler, 6 Cal. 510.
Stephens *v.* Mansfield, 11 Cal. 368.
Waring *v.* Crow, 11 Cal. 366.
Gluckauf *v.* Reed, 22 Cal. 468.
Richardson *v.* McNulty, 24 Cal. 339.
St. John *v.* Kidd, 26 Cal. 264.
Depuy *v.* Williams, 26 Cal. 309.
Davis *v.* Perley, 30 Cal. 630.
Davis *v.* Gale, 32 Cal. 26.
Bell *v.* The Bed Rock Tunnel and Mg. Co.,
36 Cal. 214.
Judson *v.* Mallon, 40 Cal. 300.
McLean *v.* Benton, 43 Cal. 467.
Strang *v.* Ryan, 46 Cal. 33.
Stone *v.* The Geyser Q. M. Co., 52 Cal. 315.
Mallett *v.* Uncle Sam Mg. Co., 1 Nev. 188.
Weill *v.* Lucerne Mg. Co., 11 Nev. 200.
Secretary Interior, Dungan *v.* Griffen's
heirs, April 18, 1872, Copp's L. L. 254.
Secretary Interior, Seay *v.* Shelleto, Dec.
10, 1872, Copp's L. L. 258.
Secretary Interior, Dorame *v.* Towers, Dec.
4, 1875, 2 Copp's L. O. 131.
Secretary Interior, Smith *et al.* *v.* Vandelief
et al., March 4, 1879, 6 Copp's L. O. 2.

Effect of:

Minter *v.* Crommelin, 18 How. 87.
Wilcoxon *v.* Rogers, 16 La. 6.
Wynn *v.* Morris, 16 Ark. 414.
Fine *v.* St. Louis, 23 Mo. 520.
Atkins *v.* Hendrie, 1 Idaho, 107.
Murley *v.* Ennis, 2 Colo. 300.
Davis *v.* Butler, 6 Cal. 510.
Ferris *v.* Craver, 10 Cal. 529.
Merritt *v.* Judd, 14 Cal. 60.
Gluckauf *v.* Reed, 22 Cal. 468.
Davis *v.* Gale, 32 Cal. 26.
Lechler *v.* Chapin, 12 Nev. 65.
Secretary Interior, *ex parte* Winalow *et al.*,
April 24, 1856, 1 Lester, 351.
Secretary Interior, Boyd *v.* B. & M. R. R. R.,
April 28, 1871, Copp's L. L. 392.
Secretary Interior, *ex parte* Hays, May 8,
1876, 3 Copp's L. O. 21.

ABANDONMENT—Continued.

Effect of:

Secretary Interior, Ayers *et al.* *v.* Daly *et al.*, Jan. 3, 1877, 3 Copp's L. O. 196.
Secretary Interior, Empire Mg. Co. *et al.* *v.*
Bullion Mg. Co. *et al.*, May 22, 1878, 5
Copp's L. O. 50.
Secretary Interior, France *et al.* *v.* Harrington,
June 29, 1878, 5 Copp's L. O. 66.
Com'r G. L. O., Mette *v.* State of California,
Oct. 18, 1878, 5 Copp's L. O. 164.

ALIENS—

Fairfax's devisee *v.* Hunter's devisee, 7
Cranch, 603.
Craig *et al.* *v.* Bradford, 3 Wheat. 594.
Gouverneur's heirs *v.* Robertson, 11 Wheat.
332.
Beard *v.* Rowan, 9 Pet. 301.
Cross *v.* DeValle, 1 Wall. 1.
United States *v.* Repentigny, 5 Wall. 211.
Osterman *v.* Baldwin, 6 Wall. 116.
Phillips *et al.* *v.* Moore, 10 Otto, 208.
Hammekin *v.* Clayton, 2 Woods, C. C. 336.
Etheridge *v.* Doe *ex dem.* Malescopic, 18
Ala. 565.
Wynn *v.* Morris, 16 Ark. 414.
People *v.* Folsom, 5 Cal. 373.
Mitchell *v.* Hargood, 6 Cal. 148.
Merle *v.* Mathews, 26 Cal. 456.
Burrell *v.* Haw, 48 Cal. 223.
Golden Fleece Co. *v.* The Cable Co., 12
Nev. 312.
Courtney *v.* Turner, 12 Nev. 345.
Blakesly *v.* Caywood, 4 Oreg. 279.
Territory of Montana *v.* Lee, 2 Montana,
124.
3 Op. Att. Gen. 90; 5 *id.* 551; 7 *id.* 351; Aug.
6, 1875.
Secretary Interior, Galena Mg. Co. *v.* Huesey
et al., Jan. 2, 1875, 1 Copp's L. O. 178.
Secretary Interior, *ex parte* Mooney *et al.*,
July 29, 1876, 3 Copp's L. O. 63.
Secretary Interior, Lawless *v.* Anderson,
March 8, 1877, 4 Copp's L. O. 52.
Secretary Interior, Dallas *v.* White, July
25, 1878, 5 Copp's L. O. 82.
Secretary Interior, Marleyhan *v.* C. & O. R.
R., Feb. 13, 1878, 7 Copp's L. O. 67.
Com'r G. L. O., circular, Nov. 7, 1871, Copp's
L. L. 405.
Com'r G. L. O., *ex parte* B. N. Sanford *et al.*,
Sept. 7, 1874, 1 Copp's L. O. 98.
Com'r G. L. O., McBean *v.* Owen *et al.*, Oct.
14, 1874, 1 Copp's L. O. 130.
Com'r G. L. O., Dougherty *v.* C. & O. R. R.
Co., Sept. 14, 1874, 1 Copp's L. O. 140.
Com'r G. L. O., *ex parte* Sprenger, March
28, 1873, 2 Copp's L. O. 57.
Com'r G. L. O., Beckner *v.* Coates, April 24,
1876, 3 Copp's L. O. 18.

ALIENS—Continued.

- Com'r G. L. O., *ex parte* Wood *et al.*, July 18, 1876, 3 Copp's L. O. 69.
 Com'r G. L. O., *ex parte* Seely, April 20, 1877, 4 Copp's L. O. 41.
 Com'r G. L. O., *ex parte* Hay, Aug. 18, 1877, 4 Copp's L. O. 107.
 Com'r G. L. O., *ex parte* Hill, Jan. 29, 1879, 5 Copp's L. O. 179.
 Com'r G. L. O., Gower v. S. P. R. R., April 4, 1879, 6 Copp's L. O. 124.
 Com'r G. L. O., *ex parte* Lindenmeir, June 23, 1870, 7 Copp's L. O. 25.

ASSIGNMENT—*Certificates of deposit:*

- Com'r G. L. O., *ex parte* Baca, Sept. 10, 1874, Copp's L. L. 760.
 Com'r G. L. O., *ex parte* Wright, Dec. 4, 1875, 2 Copp's L. O. 151.
 Com'r G. L. O., circular, June 27, 1879, 6 Copp's L. O. 77.
 Com'r G. L. O., circular, March 5, 1880, 7 Copp's L. O. 7.

Coal land entry:

- Com'r G. L. O., circular, April 15, 1873, Copp's L. L. 667.

Desert land entry:

- Secretary Interior, instructions, April 15, 1880, 7 Copp's L. O. 26.
 Com'r G. L. O., Oct. 1, 1878.

Donation:

- Cowen v. Kutsworth, 21 Ark. 9.

Foreign grant:

- Bissell v. Penrose, 8 How. 317.
 United States v. Grimes, 2 Black, 610.
 Hogan v. Page, 2 Wall. 605.
 Noullen v. Perkins, 3 Rob. (La.) 233.
 Jenkins v. Noel, 3 Stewart (Ala.) 60.
 Papin v. Massey, 27 Mo. 445.
 2 L. L. & O. 710, 740, 741.
 Secretary Treasury, instructions, Oct. 25, 1808, 2 L. L. & O. 696.
 Secretary Interior, *ex parte* Lynde, Aug. 4, 1875, Copp's L. L. 796.
 Secretary Interior, *ex parte* Wendler, Jan. 15, 1877, 3 Copp's L. O. 165.
 Com'r G. L. O., *ex parte* Valentine, June 17, 1874, Copp's L. L. 806.
 Com'r G. L. O., circular, Sept. 15, 1875, 2 Copp's L. O. 102.
 Com'r G. L. O., *ex parte* Wherrey *et al.*, May 1, 1876, 3 Copp's L. O. 133.
 Com'r G. L. O., circular, Feb. 13, 1879, 5 Copp's L. O. 181.
 Com'r G. L. O., instructions, June 22, 1880, 7 Copp's L. O. 57.

Graduation entry:

- Com'r G. L. O., *ex parte* Hannah, Oct. 13, 1875.

Homesteads:

- Watson v. Vorhees, 14 Kans. 328.
 Dawson v. Merrille, 2 Neb. 119.
 Cheney v. White, 5 Neb. 261.
 Jones v. Yackman, 7 Neb. 419.
 Kirkaldie v. Larrabee, 31 Cal. 456.
 Com'r G. L. O., circular, April 4, 1877, 3 Copp's L. O. 23; 4 *id.* 35.
 Com'r G. L. O., *ex parte* Kissack, Feb. 19, 1880, 6 Copp's L. O. 189.

Indian scrip:

- Dole v. Wilson, 20 Minn. 356.
 Cunningham v. Ashley, 12 Ark. 296.

Land warrants:

- Lewis v. Baird, 3 McLean, C.C. 56.
 McArthur v. Gallop, 7 Ohio, 412.
 Duke v. Thompson, 16 Ohio, 34.
 Mock v. Brammer, 28 Ohio St. 508.
 Dyke v. McVey, 16 Ills. 41.
 Nichols v. Nichols, 3 Pinney (Wis.) 174.
 Stephenson v. Wilson, 37 Wis. 482.
 Johnson v. Gilfillan, 8 Minn. 395.
 Fort v. Wilson, 3 Iowa, 153.
 Dupee v. McCright, 6 La. Ann. 146.
 1 Op. Att. Gen. 326; 2 *id.* 26, 56, 276, 385; 7 *id.* 657.
 Secretary Interior, *ex parte* Smith, April 12, 1855, 1 Lester, 614.
 Secretary Interior, instructions, May 21, 1856, 1 Lester, 616.

ASSIGNMENT—Continued.*Land warrants:*

- Secretary Interior, instructions, Aug. 10, 1858, 1 Lester, 619.
 Secretary Interior, *ex parte* Woodman, March 25, 1859, 1 Lester, 620.
 Secretary Interior, Aug. 27, 1861, Zab. L. L. 363.
 Secretary Interior, *ex parte* Widdecombe, Sept. 30, 1878, 1 Copp's L. O. 127.
 Com'r G. L. O., circular, June 3, 1874, 1 Lester, 576.
 Com'r G. L. O., circular, March 23, 1852, 1 Lester, 585.
 Com'r G. L. O., circular, April 2, 1852, 1 Lester, 589.
 Com'r G. L. O., circular, Oct. 14, 1852, 1 Lester, 591.
 Com'r G. L. O., circular, May 3, 1855, 1 Lester, 598.
 Com'r G. L. O., circular, Nov. 1, 1858, 1 Lester, 607.
 Com'r G. L. O., instructions, Oct. 17, 1853, Zab. L. L. 332.
 Com'r G. L. O., instructions, May 3, 1855, Zab. L. L. 343.
 Com'r G. L. O., circular, July 20, 1875, Copp's L. L. 727.
 Com'r G. L. O., circular, July 20, 1875, Copp's L. L. 742.

Patent:

- McArthur v. Phœbus, 2 Ohio, 416.
 Reeder v. Barr, 4 Ohio, 449.
 Wallace v. Minnis, 7 Ohio, 249.
 Smith v. Stark, 7 Ohio, 551.
 Bromer v. Ware, 10 Ohio, 465.
 Bell v. Duncan, 11 Ohio, 192.
 Waters v. Bush, 42 Iowa, 255.
 Hellam v. Minor, 12 La. Ann. 124.
 Thomas v. Wyatt, 31 Mo. 188.
 Allen v. King, 34 Mo. 216.
 1 Op. Att. Gen. 191; 2 *id.* 276.
 Secretary Treasury, instructions, Dec. 6, 1802, 2 L. L. & O. 231.
 Secretary Interior, instructions, Aug. 30, 1855, 1 Lester, 351.
 Secretary Interior, Whitaker v. S. P. R. R. July 27, 1880, 7 Copp's L. O. 65.

Possessory claim:

- Hall v. Russell, 11 Otto, 503.
 Spry v. Sleppy, 15 Iowa, 409.
 Pelham v. Wilson, 4 Ark. 289.
 Houseman v. Chase, 12 Cal. 290.
 McGarrity v. Byington, 12 Cal. 431.

Pre-emption:

- Marks v. Dickson, 20 How. 501.
 Myers v. Croft, 13 Wall. 291.
 Kellam v. Easby, 1 Dillon, C. C. 281.
 Carr v. Allison, 5 Blackf. (Ind.) 63.
 Doe v. Hayes, 1 Ind. 247.
 Riggs v. Cook, 8 Ills. 336.
 Delauney v. Burnett, 9 Ills. 454.
 Morehouse v. Phelps, 18 Ills. 472.
 Robbins v. Bunn, 54 Ills. 48.
 Dillingham v. Fisher, 5 Wis. 475.
 Spalding v. Wood, 8 Wis. 195.
 Camp v. Smith, 2 Minn. 155.
 The St. Peter's Co. v. Bunker, 5 Minn. 192.
 Evans v. Fulsom, 5 Minn. 422.
 Bruggerman v. Peter, 7 Minn. 337.
 Randall v. Edert, 7 Minn. 450.
 McCue v. Smith, 9 Minn. 252.
 Ferguson v. Kumler, 11 Minn. 104.
 Woodbury v. Dorman, 15 Minn. 338.
 Jones v. Taniter, 15 Minn. 512.
 Marshall v. Bush, Morris (Iowa), 275.
 Cullen v. Riley, 7 Iowa, 517.
 Strong v. Rachal, 16 La. 232.
 Marks v. Dickson, 10 La. Ann. 597.
 Richardson v. Enswiller, 14 La. Ann. 658.
 McElyea v. Hayter, 2 Porter (Ala.) 148.
 Curdoff v. Orma, 7 Porter (Ala.) 58.
 Mann v. Brisen *et al.*, 4 Ala. 731.
 Hudson v. Milner, 12 Ala. 667.
 Tempson v. Martin, 13 Ala. 21.
 Paulding v. Grimby, 10 Mo. 135.
 Bray v. Roydale, 53 Mo. 170.
 McKean v. Crawford, 6 Kans. 112.
 McKean v. Massey, 6 Kans. 122.

ASSIGNMENT—Continued.

Pre-emption:

Stout v. Hyatt, 13 Kans. 232.
 Towaley v. Johnson, 1 Neb. 95.
 Franklin v. Kelly, 2 Neb. 79.
 Tartar v. Hall, 3 Cal. 263.
 Whitney v. Buckman, 13 Cal. 536.
 Quinn v. Kenyon, 38 Cal. 499.
 Kenyon v. Quinn, 41 Cal. 325.
 Moore v. Berse, 43 Cal. 511.
 McDonald v. Edmunds, 44 Cal. 328.
 Thurston v. Alva, 45 Cal. 16.
 Hudson v. Johnson, 45 Cal. 21.
 Hurton v. Walker, 47 Cal. 484.
 Bull v. Shaw, 43 Cal. 455.
 Douglass v. Gould, 52 Cal. 656.
 Rose v. Treadway, 4 Nev. 455.
 Treadway v. Wilder, 8 Nev. 91.
 3 Op. Att. Gen. 91.
 Secretary Interior, Patten v. Burwell, Nov. 29, 1855, 1 Lester, 384.
 Secretary Interior, Johnson v. Denny, Sept. 22, 1859, 1 Lester, 392.
 Secretary Interior, *ex parte* Huggins, Dec. 27, 1858, 1 Lester, 484.
 Secretary Interior, circular, May 23, 1856, 1 Lester, 607.
 Secretary Interior, May 21, 1856, 1 Lester, 616.
 Secretary Interior, *ex parte* Woodman, March 25, 1859, 1 Lester, 620.
 Secretary Interior, Hensley v. Ayers, April 27, 1876, 3 Copp's L. O. 53.
 Secretary Interior, Whitaker v. S. P. R. R., July 27, 1880, 7 Copp's L. O. 85.
 Com'r G. L. O., instructions, March 9, 1835, 2 L. I. & O. 645.
 Com'r G. L. O., instructions, July 3, 1838, 2 L. I. & O. 1026.
 Com'r G. L. O., instructions, Sept. 28, 1842, 1 Lester, 368.
 Com'r G. L. O., circular, Aug. 31, 1830, 1 Lester, 667, note.

Private entry:

Cupps v. Irwin, 2 Blackf. (Ind.) 183.
 Hawkins v. Johnson, 4 Blackf. (Ind.) 21.
 Clark v. Hill, 19 Mich. 356.
 Warburton v. Maddox, Morris (Iowa), 367.
 Silliman v. King, 36 Iowa, 207.
 Burdick v. Wentworth, 42 Iowa, 440.
 Goodlet v. Smithson, 5 Porter (Ala.) 245.
 Wright v. Swann, 6 Porter (Ala.) 84.
 Stone v. Young, 5 Kans. 229.
 Snow v. Ferrea, 45 Cal. 195.

Purchasers at public sale:

Secretary Treasury, *ex parte* Stewart et al., July 16, 1843, 2 L. I. & O. 233.
 Secretary Treasury, circular, July 5, 1805, 2 L. I. & O. 257.
 Secretary Treasury, circular, Jan. 13, 1808, 2 L. I. & O. 269.
 Secretary Treasury, circular, May 5, 1821, 2 L. I. & O. 307.
 Secretary Treasury, circular, May 25, 1831, 2 L. I. & O. 446.
 Secretary Interior, *ex parte* Pease, July 24, 1852, 1 Lester, 672.
 Secretary Interior, *ex parte* Wright, June 26, 1879, 6 Copp's L. O. 96.
 Secretary Interior, *ex parte* Benton, June 26, 1879, 6 Copp's L. O. 96.
 Com'r G. L. O., instructions, April 17, 1837, 2 L. I. & O. 647.
 Com'r G. L. O., instructions, Oct. 15, 1829, 2 L. I. & O. 740.

School-land warrants:

Smith v. Minor, 5 Wis. 551.
 Bull v. Shepherd, 7 Wis. 449.
 Smith v. Clark, 7 Wis. 551.
 Whitney v. State Bank, 7 Wis. 620.
 Mowry v. Wood, 12 Wis. 413.
 Dodge v. Silverthorn, 12 Wis. 644.
 Jarvis v. Dutcher, 16 Wis. 307.

Script:

Com'r G. L. O., instructions, June 21, 1834, 2 L. I. & O. 496.

BELLEVUE, CITY OF—

Com'r G. L. O., instructions, Aug. 9, 1836, 2 L. I. & O. 963.

BELLEVUE, CITY OF—Continued.

Com'r G. L. O., instructions, March 23, 1837, 2 L. I. & O. 977.

BENICIA, CITY OF—

Futher v. City of Benicia, 36 Cal. 562.
 Carroll v. City of Benicia, 40 Cal. 386.

BISMARCK, CITY OF—

Secretary Interior, Hackett v. City of Bismarck, July 26, 1876.

BONHOMME, PIERRE—

Claim of: 2 Op. Att. Gen. 207.

BRIDGES—

United States v. M. & St. P. R. R. Co., 5 Bissell, C. C. 410.
 The Clinton Bridge, 1 Woolw. C. C. 150.

BURLINGTON, CITY OF—

Cook v. City of Burlington, 30 Iowa, 94.
 Com'r G. L. O., instructions, Aug. 9, 1836, 2 L. I. & O. 963.
 Com'r G. L. O., instructions, March 23, 1837, 2 L. I. & O. 977.

CALIFORNIA—

Confirmation of land titles in, by act of July 23, 1866:

Huff v. Doyle, 3 Otto, 558.
 Toland v. Mandell, 38 Cal. 371.
 Collins v. Bartlett, 41 Cal. 371.
 Foscalina v. Doyle, 47 Cal. 438.
 Buhne v. Chism, 48 Cal. 467.
 Chant v. Reynolds, 49 Cal. 213.
 Kaiser v. McLaughlin, 49 Cal. 449.
 Huff v. Doyle, 50 Cal. 16.
 Thompson v. Thornton, 50 Cal. 142.
 Laughlin v. McGarvey, 50 Cal. 169.
 Sacramento Savings Bank v. Hyma, 50 Cal. 195.
 Sutton v. Fassett, 51 Cal. 12.
 Rutledge v. Murphy, 51 Cal. 389.
 Wilkinson v. Merrill, 52 Cal. 424.
 Op. Att. Gen., March 4, 1878.
 Secretary Interior, State v. Hale et al., April 8, 1872, Copp's L. L. 324.
 Secretary Interior, *ex parte* Brown, April 18, 1872, Copp's L. L. 446.
 Secretary Interior, Dec. 5, 1871, Copp's L. L. 461.
 Secretary Interior, *ex parte* Buhne, April 21, 1873, Copp's L. L. 465.
 Secretary Interior, Rank v. Luce, June 22, 1873, Copp's L. L. 465.
 Secretary Interior, State v. Howard, June 4, 1872, Copp's L. L. 467.
 Secretary Interior, Hyatt v. Smith, Dec. 19, 1872, Copp's L. L. 469.
 Secretary Interior, Alexander v. C. & O. R. R., April 13, 1872, Copp's L. L. 469.
 Secretary Interior, *ex parte* White, Aug. 18, 1874, Copp's L. L. 469.
 Secretary Interior, Bascom v. Davis, September 19, 1873, Copp's L. L. 469; 1 Copp's L. O. 52.
 Secretary Interior, Wilson v. C. & O. R. R., Feb. 17, 1873, Copp's L. L. 471.
 Secretary Interior, Dibble v. C. & O. R. R., Dec. 24, 1874, Copp's L. L. 472.
 Secretary Interior, Davis v. McClay, Dec. 16, 1873, 1 Copp's L. O. 6.
 Secretary Interior, C. P. R. R. v. State, Dec. 21, 1877, 4 Copp's L. O. 150.
 Secretary Interior, Wallace v. State, Dec. 28, 1877, 5 Copp's L. O. 22.
 Secretary Interior, Dallas v. White, July 25, 1878, 5 Copp's L. O. 82.
 Secretary Interior, *ex parte* More's heirs, July 25, 1878, 5 Copp's L. O. 67.
 Secretary Interior, *ex parte* Nichols, Nov. 1, 1878, 5 Copp's L. O. 151.
 Secretary Interior, *ex parte* State, Dec. 12, 1878, 6 Copp's L. O. 29.
 Secretary Interior, Kile v. Tubbs, July 15, 1879, 6 Copp's L. O. 168.
 Secretary Interior, Watson v. State, Jan. 28, 1880, 6 Copp's L. O. 193.
 Secretary Interior, State v. C. P. R. R., June 26, 1879, 7 Copp's L. O. 119.
 Secretary Interior, University v. White, Jan. 10, 1878.
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CALIFORNIA—Continued.

Confirmation of land titles in, by act of July 23, 1866:

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Com'r G. L. O., circular, March 18, 1870, Copp's L. L. 452.
Com'r G. L. O., *State v. Townsend et al.*, Nov. 1, 1875, 2 Copp's L. O. 116.
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CANADIAN REFUGEES AND VOLUNTEERS—

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CANAL GRANTS—

Dayton and Lake Erie:

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Com'r G. L. O., instructions, June 11, 1833, 2 L. I. & O. 477.

Fox and Wisconsin Rivers:

- Veeder v. Guffy*, 3 Wis. 446.

Green Bay and Lake Michigan:

- State v. Com'rs S. & M. lands*, 34 Wis. 162.

Illinois and Lake Michigan:

- Illinois and Michigan Canal v. Cahoon*, 1 Scam. (Ills.) 521.
Board of Trustees v. Haven, 10 Ills. 548.

Milwaukee and Rock River:

- United States v. Hatch*, 1 Pinney (Wis.), 182.

Miami:

- Strong v. Lehmer*, 10 Ohio St. 93.
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Secretary Treasury, instructions, March 20, 1835, 2 L. I. & O. 607.
Com'r G. L. O., instructions, June 17, 1833, 2 L. I. & O. 478.
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Portage and Lake Superior:

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Att'y-Gen'l v. Lake Superior Ship Canal, 32 Mich. 233.
14 Op. Att. Gen., 636, 645.

Sault Ste. Marie:

- Ryan v. Brown*, 18 Mich. 196.

Wabash and Erie:

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Butler v. State, 6 Ind. 165.
Doe v. Stephenson, 9 Ind. 144.
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CARONDELET, CITY OF—

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Inhabitants of Carondelet v. Dent, 18 Mo. 248.
City of Carondelet v. McPherson, 20 Mo. 192.
City of Carondelet v. City of St. Louis, 25 Mo. 448.
Funkhouser v. Langkopp, 26 Mo. 453.
Prim v. Horen, 27 Mo. 205.
Borolin v. Furman, 28 Mo. 429.
Dent v. Segerson, 29 Mo. 489.
City of Carondelet v. City of St. Louis, 29 Mo. 527.
Funkhouser v. Hantz, 29 Mo. 540.
Barry v. Blumenthal, 32 Mo. 29.
Shepley v. Cowan, 52 Mo. 539.

CERTIFICATES OF DEPOSIT FOR SURVEYS—

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Secretary Interior, *ex parte Sanchez*, June 1, 1874, 1 Copp's L. O. 35.
Secretary Interior, *ex parte Sprowl*, Sept. 22, 1877, 4 Copp's L. O. 116.
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Com'r G. L. O., circular, Feb. 25, 1873, Copp's L. L. 758.
Com'r G. L. O., *ex parte Baca et al.*, Sept. 10, 1874, Copp's L. L. 760.
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Com'r G. L. O., *ex parte Wright*, Dec. 4, 1875, 2 Copp's L. O. 151.
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CERTIFIED COPIES—

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CESSION, CONQUEST, AND DISCOVERY—

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American Ins. Co. v. Canter, 1 Pet. 511.
Soulard v. United States, 4 Pet. 511.
Martin v. Waddell, 16 Pet. 367.
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Pollard's lessee v. Hagan, 3 How. 212.
Leitenadoffer v. Webb, 20 How. 176.
United States v. Moreno, 1 Wall. 400.
United States v. Yorba, 1 Wall. 412.
Reichart v. Felps, 6 Wall. 160.
Hornsby v. United States, 10 Wall. 224.
United States v. Lynde, 11 Wall. 632.
Dent v. Emmeger, 14 Wall. 308.
United States v. Tract of Land, 1 Woods, C. C. 475.
Woodworth v. Fulton, 1 Cal. 295.
Vanderlice v. Hawks, 3 Cal. 27.
Clarkson v. Hawks, 3 Cal. 47.
Teschmacher v. Thompson, 18 Cal. 11.
Leese v. Clark, 20 Cal. 388.
Ward v. Mulford, 32 Cal. 365.
Gardiner v. Millar, 47 Cal. 570.

CHEYENNE, CITY OF—

- Secretary Interior, U. P. R. R. v. Cheyenne, Sept. 27, 1872, Copp's L. L. 373.

CHINAMEN—

- Wythe v. Smith*, 4 Saw. C. C. 17.

CHIPPEWA HALF-BREED SCRIP—

- Dole v. Wilson*, 20 Minn. 356.
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Com'r G. L. O., *Wheeler et al. v. Cadotte*, April 20, 1867, Zab. L. L. 401.
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CHOUTEAU CLAIM—

- Survey*: 2 L. I. & O. 975.

COLUMBUS AND SANDUSKY TURNPIKE—

- Com'r G. L. O., instructions, May 2, 1828, 2 L. I. & O. 407.

CONNECTICUT LAND CLAIMS, OHIO—

- Palmer v. Com'rs Cuyahoga Co.*, 3 McLean, C. C. 226.
Kinsman v. Loomis, 11 Ohio, 475.
Lockwood v. Wilderman, 13 Ohio, 430.
Secretary Treasury, instructions, April 4, 1805, 2 L. I. & O. 788.
Secretary Treasury, instructions, April 20, 1805, 2 L. I. & O. 789.
Secretary Treasury, instructions, Dec. 16, 1807, 2 L. I. & O. 801.
Secretary Treasury, instructions, March 12, 1808, 2 L. I. & O. 802.

CONTRACTS—

Civil law:

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CONTRACTS—Continued.

Common law :

United States v. Linn, 15 Pet. 290.
Lamb v. Kamm, 1 Saw. C. C. 238.

Construction of :

Lamb v. Davenport, 1 Saw. C. C. 609.
Starr v. Stark, 2 Saw. C. C. 603.
Rightor v. Phelps, 1 Rob. (La.) 325.
Reed v. Conway, 26 Mo. 13.
Claymorgan v. Green, 32 Mo. 285.

Covenant :

Lamb v. Burbank, 1 Saw. C. C. 227.
Lamb v. Kamm, 1 Saw. C. C. 238.
Lamb v. Wakefield, 1 Saw. C. C. 251.
Lamb v. Vaughn, 2 Saw. C. C. 161.
Fields v. Squires, 1 Deady, C. C. 366.

Legislative :

Fletcher v. Peck, 6 Cranch, 87.
State of New Jersey v. Wilson, 7 Cranch, 164.
Cook v. City of Burlington, 30 Iowa, 94.
Op. Att. Gen., *ex parte* Ohio, 2 L. I. & O. 141.

Mexican grant :

Hartman v. Reed, 50 Cal. 485.

Settlers' claim and improvements :

Lamb v. Davenport, 18 Wall. 307.
Lamb v. Burbank, 1 Saw. C. C. 227.
Doolittle v. Bridgeman, 1 Greene (Iowa), 265.
Ellis v. Mosier, 2 Greene (Iowa), 246.
Brooks v. Ellis, 3 Greene (Iowa), 527.
McIntire v. Skinner, 4 Greene (Iowa), 89.
Pierson v. David, 1 Iowa, 24.
Sullivan v. McLennan, 2 Iowa, 437.
Bowman v. Torr, 3 Iowa, 571.
Cullen v. Riley, 7 Iowa, 517.
Snow v. Flannery, 10 Iowa, 318.
Spry v. Sleppy, 15 Iowa, 409.
Wilson v. McLernan, 20 Iowa, 30.
Oaks v. Heaton, 44 Iowa, 116.
Jenkins v. Gibson, 3 La. Ann. 203.
Hollan v. Sapp, 4 La. Ann. 519.
Hudson *et al.* v. Milner, 12 Ala. 667.
Tompson v. Martin, 13 Ala. 21.
Patton v. Ashlev, 8 Ark. 290.
Cain v. Leslie, 15 Ark. 312.
Baker v. Hollobaugh, 15 Ark. 322.
Cloud v. Ivie, 28 Mo. 578.
Moore v. McIntosh, 6 Kans. 39.
Vickray v. Pratt, 7 Kans. 238.
McTaggart v. Hamson, 12 Kans. 62.
Bell v. Parks, 16 Kans. 152.
Lapham v. Hend, 21 Kans. 332.
Chase v. Savage Silver Mfg. Co., 2 Nev. 9.
Rose v. Treadway, 4 Nev. 455.
Treadway v. Wilder, 8 Nev. 91.
Dawson v. Merrelle, 2 Neb. 119.
McWilliams v. Bridges, 7 Neb. 419.
Tartar v. Hall, 3 Cal. 263.
Ostram v. Dixon, 13 Cal. 33.
Holden v. Andrews, 38 Cal. 119.
Damrell v. Meyer, 40 Cal. 166.
Montgomery v. Whitney, 40 Cal. 294.
Hudson v. Johnson, 45 Cal. 21.
Snow v. Ferrea, 45 Cal. 195.
McCreary v. Casey, 50 Cal. 349.
Snow v. Kimmer, 52 Cal. 624.
Secretary Interior, Webster v. Sutherland, Oct. 19, 1872, Copp's L. L. 312.
Secretary Interior, Beasore v. Whitehead, Aug. 5, 1875, 2 Copp's L. O. 83.
Secretary Interior, Swift v. C. & O. R. R., Nov. 30, 1875, 2 Copp's L. O. 134.
Secretary Interior, Hudsonpiller v. Queen, Sept. 18, 1874.
Secretary Interior, Sumner v. Silaby, Feb. 22, 1875.

Survey :

Reed v. Conway, 26 Mo. 13.
Edwards v. Estell, 48 Cal. 194.
Instructions, March 4, 1797, 2 L. I. & O. 765.
Com'r G. L. O., instructions, July 9, 1824, 2 L. I. & O. 839.

Timber, sale of :

Stevens v. Penier, 12 Kans. 297.
Ward v. Carson River Wood Co., 13 Nev. 44.

CONTRACTS—Continued.

Timber, sale of :

Secretary Interior, instructions, Dec. 6, 1854, 1 Lester, 629.
Secretary Interior, Webster v. Sutherland, Oct. 19, 1872, Copp's L. L. 313.

Treaty :

Meigs *et al.* v. McClung's lessee, 9 Cranch, 11.
Fleeger v. Poole, 1 McLean, C. C. 185.
Secretary Interior, Dallas v. White, July 25, 1878, 5 Copp's L. O. 83.

COUNTY SEATS—

Whitelowe v. Reese, 4 Oreg. 335.
Com'r G. L. O., circular, June 7, 1824, 2 L. I. & O. 380.
Com'r G. L. O., instructions, March 18, 1824, 2 L. I. & O. 494.
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CUMBERLAND ROAD—

Op. Att. Gen., 2 L. I. & O. 141.

DEDICATION TO PUBLIC USES—

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Barclay v. Howell's lessee, 6 Pet. 492.
New Orleans v. United States, 10 Pet. 662.
United States v. Chicago, 7 How. 185.
Irwin v. Dixon, 9 How. 10.
City of Brownsville v. Cavazos *et al.*, 10 Otto, 138.
United States v. Carr, 3 Saw. C. C. 477.
Lownsdale v. City of Portland, 1 Deady, C. C. 1, 39.
Chapman v. School District No. 1, 1 Deady, C. C. 139.
City of Winona v. Huff, 11 Minn. 119.
Village of Mankato v. Meagher, 17 Minn. 265.
Cook v. City of Burlington, 30 Iowa, 94.
Cook v. City of Burlington, 36 Iowa, 357.
St. Louis Public Schools v. Erskin, 31 Mo. 110.
Hall v. Ashby, 2 Montana, 489.
Lownsdale v. City of Portland, 1 Oreg. 381.
Leland v. City of Portland, 2 Oreg. 46.
Bell v. The Bed Rock Tunnel & Mfg. Co., 36 Cal. 214.
Secretary Interior, The Chicago Cases, Feb. 28, 1879, 6 Copp's L. O. 22.
Com'r G. L. O., The Chicago Cases, Feb. 12, 1878, 4 Copp's L. O. 186.

DENVER, CITY OF—

Coffield v. McClellan, 1 Colo. 370.
Clayton v. Spencer, 2 Colo. 378.

DESCRIPTION AND BOUNDARY—

What sufficient, and rules of construction :

Bodley v. Taylor, 5 Cranch, 191.
Lodge's lessee v. Lee, 6 Cranch, 237.
Johnson v. Pannel's heirs, 2 Wheat. 206.
Shipp v. Miller's heirs, 2 Wheat. 316.
McArthur v. Browder, 4 Wheat. 488.
Blake *et al.* v. Doherty *et al.*, 5 Wheat. 357.
Doddridge v. Thompson, 9 Wheat. 469.
Patterson v. Jenks, 2 Pet. 216.
Boardman v. Reed *et al.*, 6 Pet. 328.
United States v. Sepulveda, 1 Wall. 104.
United States v. Halleck *et al.*, 1 Wall. 439.
Schurmeir v. St. P. & P. R. R. Co., 7 Wall. 272.
Quicksilver Mfg. Co. v. Hicks, 4 Saw. C. C. 688.
Tripp v. Spring, 5 Saw. C. C. 208.
Dunlap v. Stetson, 4 Mason, C. C. 349.
Thomas v. Hatch, 5 Mason, C. C. 170.
Thomas v. Hatch, 3 Sumner, C. C. 170.
Boyreau v. Campbell, 1 McAllister, C. C. 119.
United States v. Estudillo, 1 Hoffman's L. Cas. 204.
Alshire v. Hulse, 1 Ohio, 170.
Martin v. Boon, 2 Ohio, 238.
McArthur v. Phœbus, 2 Ohio, 416.
Huston v. McArthur, 7 Ohio, 383.
Buckley v. Blackwell, 10 Ohio, 508.
McKinney v. McKinney, 8 Ohio St. 423.
Calhoun v. Price, 17 Ohio St. 96.
Board of Trustees v. Haven, 10 Ills. 548.
Wilson v. Byns, 77 Ills. 76.
Hunt v. Rowley, 87 Ills. 491.

DESCRIPTION AND BOUNDARY—Continued.

What sufficient, and rules of construction :

Gilman v. Riopelle, 18 Mich. 144.
 Wright v. Day, 33 Wis. 260.
 Boorman v. Sunnucks, 42 Wis. 233.
 Schurmeir v. St. P. & P. R. R., 10 Minn. 82.
 Musser v. Hershey, 42 Iowa, 356.
 Lafayette v. Blanc, 3 La. Ann. 59.
 Ott v. Soulard, 9 Mo. 581.
 Shelton v. Maupin, 16 Mo. 124.
 Fenwick v. Gill, 38 Mo. 510.
 Lamers v. Nissen, 4 Neb. 245.
 Shockley v. Broun, 1 Wash. Ty. 463.
 Reynolds v. West, 1 Cal. 322.
 Hicks v. Coleman, 25 Cal. 122.
 More v. Massini, 37 Cal. 432.
 Eureka Mg. Co. v. Way, 11 Nev. 171.
 Courtney v. Turner, 12 Nev. 345.
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 Secretary Interior, Rancho Novato, Jan. 13, 1859, 1 Lester, 645.
 Secretary Interior, Ranchos Borregas and Posolmi, April 27, 1859, 1 Lester, 649.
 Secretary Interior, Rancho De Quito, July 23, 1859, 1 Lester, 650.
 Secretary Interior, Rancho Los Tularcitos, July 30, 1859, 1 Lester, 652.
 Secretary Interior, Ranchos Pinole, Las Huntas and Del Hambro, Aug. 10, 1859, 1 Lester, 654.
 Secretary Interior, Rancho Buelna, Sept. 1, 1859, 1 Lester, 657.
 Secretary Interior, Rancho Sausal Redondo, Oct. 31, 1871, Copp's L. L. 564.
 Secretary Interior, Rancho Caslamayomi, Aug. 15, 1874.
 Com'r G. L. O., Rancho San Niguel, July 9, 1872, Copp's L. L. 565.
 Com'r G. L. O., Rancho Cuyamaca, Nov. 25, 1873, Copp's L. L. 577.
 Com'r G. L. O., Rancho Najalayegua, Feb. 18, 1874, Copp's L. L. 590.
 Com'r G. L. O., Rancho San Juan Cajon de Santa Ana, Sept. 18, 1875, 2 Copp's L. O. 119.
 Com'r G. L. O., Rancho Bolsa de Escorpinas, Sept. 24, 1875, 2 Copp's L. O. 135; 3 *id.* 90.
 Com'r G. L. O., Rancho Corte Madera del Presidio, Sept. 18, 1878.
 Com'r G. L. O., Pueblo San Francisco, Nov. 16, 1878.

When courses and distances control, and when not :

Marshall v. Currie, 4 Cranch, 172.
 Bodley v. Taylor, 5 Cranch, 191.
 McIvers' lessee v. Walker, 9 Cranch, 173.
 Taylor v. Walton, 1 Wheat. 141.
 Shipp v. Miller's heirs, 2 Wheat. 316.
 Newsom v. Pryor's lessee, 7 Wheat. 7.
 Chinoweth v. Haskell's lessee, 3 Pet. 92.
 Holmes v. Trout, 7 Pet. 171.
 Brown v. Huger, 21 How. 305.
 United States v. Pacheco, 2 Wall. 587.
 Morrow v. Whitney, 5 Otto, 551.
 United States v. Castro, 5 Saw. C. C. 625.
 Jackson v. Sprague, 1 Paine, C. C. 494.
 Coon v. Penn, 1 Pet. C. C. 496.
 Harmer v. Morris, 1 McLean, C. C. 44.
 Buel v. Tuley, 4 McLean, C. C. 268.
 Robinson v. Moore, 4 McLean, C. C. 279.
 Granger v. Swart, 1 Woolw. C. C. 88.
 Tobin v. Witkin's heirs, 1 McAllister, C. C. 151.
 McCoy v. Galloway, 3 Ohio, 282.
 Galloway v. Brown, 16 Ohio, 428.
 McClintock v. Rodgers, 11 Ills. 279.
 Bruckner v. Lawrence, 1 Doug. (Mich.) 19.
 Moore v. People, 2 Doug. (Mich.) 420.
 Britton v. Ferry, 14 Mich. 53.
 Neff v. Paddock, 26 Wis. 546.
 McEvoy v. Loyd, 31 Wis. 142.
 Moreland v. Page, 2 Iowa, 130.
 Sargent v. Herod, 3 Iowa, 145.
 Campbell v. Clark, 8 Mo. 553.
 McGill v. Somers, 15 Mo. 80.
 Schultz v. Lindell, 40 Mo. 330.
 Knight v. Elliott, 57 Mo. 317.
 De Arguello v. Greer, 26 Mo. 616.

DESCRIPTION AND BOUNDARY—Continued.

When courses and distances control, and when not :

Serrano v. Rawson, 47 Mo. 52.
 Spring v. Houston, 49 Mo. 442.
 Shoemaker v. Hatch, 13 Nev. 261.
 Secretary Interior, Rancho Novato, Jan. 13, 1859, 1 Lester, 645.
 Secretary Interior, Ranchos Borregas and Posolmi, April 27, 1859, 1 Lester, 649.
 Secretary Interior, Rancho Corte Madera del Presidio, Jan. 6, 1872, Copp's L. L. 532.
 Secretary Interior, Rancho Bolsa de las Escorpinas, Aug. 16, 1876, 3 Copp's L. O. 90.
 Com'r G. L. O., Rancho Agua Caliente, Feb. 21, 1878.

DES MOINES RIVER—

Litchfield v. D. & P. R. R., 23 How. 66.
 Wolcott v. Des Moines Co., 5 Wall. 681.
 Williams v. Baker, 17 Wall. 144.
 Homestead Co. v. Valley R. R., 17 Wall. 153.
 Wolsey v. Chapman, 11 Otto, 755.
 Riley v. Wells, U. S. Sup. Ct., Dec. term, 1869 (unreported).
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 Steamboat Globe v. Kurtz, 4 Green (Iowa), 433.
 Des Moines Navigation Co. v. County of Polk, 10 Iowa, 1.
 Stryker v. Polk County, 22 Iowa, 131.
 Bellows v. Todd, 34 Iowa, 18.
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DETROIT, TOWN OF—

People v. Carpenter, 1 Mich. 273.
 Secretary Treasury, instructions, Feb. 17, 1809, 2 L. I. & O. 697.

DONATIONS—

Location :

Bernard's heirs v. Ashley's heirs, 18 How. 43.
 Finley v. Woodruff, 8 Ark. 328.
 Carter v. Chapman, 2 Oreg. 93.
 Com'r G. L. O., instructions, Jan. 27, 1837, 2 L. I. & O. 533.

What are :

Ross v. Borland, 1 Pet. 655.
 Forsyth v. Reynolds, 15 How. 358.

Arkansas :

Finley v. Woodruff, 8 Ark. 328.
 Drennens v. Walker, 21 Ark. 539.
 Com'r G. L. O., instructions, Aug. 26, 1828, 2 L. I. & O. 413.
 Com'r G. L. O., instructions, Oct. 17, 1828, 2 L. I. & O. 415.
 Com'r G. L. O., instructions, Jan. 19, 1829, 2 L. I. & O. 417.
 Com'r G. L. O., instructions, Dec. 18, 1829, 2 L. I. & O. 421.
 Com'r G. L. O., instructions, Feb. 18, 1832, 2 L. I. & O. 459.
 Com'r G. L. O., instructions, June 25, 1832, 2 L. I. & O. 464.
 Com'r G. L. O., instructions, June 10, 1833, 2 L. I. & O. 476.
 Com'r G. L. O., instructions, Aug. 12, 1833, 2 L. I. & O. 480.
 Com'r G. L. O., instructions, Oct. 4, 1836, 2 L. I. & O. 527.
 Com'r G. L. O., instructions, April 22, 1837, 2 L. I. & O. 533.
 Com'r G. L. O., instructions, Aug. 6, 1835, 2 L. I. & O. 613.
 Com'r G. L. O., instructions, May 10, 1837, 2 L. I. & O. 1010.

Florida :

Boatman v. Vantress, 8 Martin (La.) 644.
 Newport v. Cooper, 10 La. 155.

Louisiana :

Secretary Interior, *ex parte* Frugle, June 25, 1877, 4 Copp's L. O. 118.
 Com'r G. L. O., instructions, March 22, 1819, 2 L. I. & O. 712.
 Com'r G. L. O., instructions, March 27, 1819, 2 L. I. & O. 713.
 Com'r G. L. O., instructions, Aug. 13, 1823, 2 L. I. & O. 717.

DONATIONS—Continued.

Louisiana :

- Com'r G. L. O., instructions, Aug. 7, 1824, 2 L. L. & O. 725.
 Com'r G. L. O., instructions, Aug. 26, 1872, Copp's L. L. 513.
 Com'r G. L. O., *ex parte* Wedge, July 14, 1873, Copp's L. L. 517.

Oregon :

- Stark v. Starr, 6 Wall. 402.
 Silver v. Ladd, 7 Wall. 219.
 Davenport v. Lamb, 13 Wall. 418.
 Lamb v. Davenport, 18 Wall. 307.
 Stark v. Starr, 4 Otto, 477.
 Barney v. Dolph, 7 Otto, 652.
 Hall v. Russell, 11 Otto, 503.
 Vance v. Burbank, 11 Otto, 514.
 Lownsdale v. Portland, 1 Deady, C. C. 1.
 Chapman v. School District No. 1, 1 Deady, C. C. 108, 139.
 Lamb v. Starr, 1 Deady, C. C. 350.
 Fields v. Squires, 1 Deady, C. C. 366.
 Lamb v. Starr, 1 Deady, C. C. 447.
 Stark v. Starr, 1 Saw. C. C. 15.
 Lamb v. Wakefield, 1 Saw. C. C. 251.
 Lamb v. Davenport, 1 Saw. C. C. 609.
 Mizner v. Vaughn, 2 Saw. C. C. 269.
 Fitzpatrick v. Dubois, 2 Saw. C. C. 434.
 Shuffleton v. Nelson, 2 Saw. C. C. 540.
 Starr v. Stark, 2 Saw. C. C. 603.
 Adams v. Burk, 3 Saw. C. C. 415.
 Hall v. Russell, 3 Saw. C. C. 506.
 Wythe v. Haskell, 3 Saw. C. C. 574.
 Wythe v. Smith, 4 Saw. C. C. 17.
 Vandolf v. Otis, 1 Oreg. 153.
 Ford v. Kennedy, 1 Oreg. 166.
 Pinn v. Morris, 1 Oreg. 230.
 Carter v. Chapman, 2 Oreg. 93.
 Starr v. Stark, 2 Oreg. 118.
 White v. Allen, 3 Oreg. 103.
 Grosionis v. Northcut, 3 Oreg. 394.
 Cowania v. Hannah, 3 Oreg. 465.
 Chambers v. Chambers, 4 Oreg. 153.
 Blakesley v. Caywood, 4 Oreg. 279.
 Jette v. Pirard, 4 Oreg. 296.
 Dolph v. Barney, 5 Oreg. 191.
 Murray v. Murray, 6 Oreg. 26.
 Linnville v. Smith, 6 Oreg. 203.
 Ramsey v. Loomis, 6 Oreg. 367.
 10 Op. Att. Gen. 380.
 Secretary Interior, Woodward *et al.* v. Strickler, November 14, 1871, Copp's L. L. 749.
 Secretary Interior, *ex parte* Maynard, March 1, 1873, Copp's L. L. 751.
 Secretary Interior, *ex parte* Warwick & Davis, May 29, 1874, Copp's L. L. 751.
 Secretary Interior, *ex parte* Meek & Luelling, June 10, 1875, 2 Copp's L. O. 86.
 Secretary Interior, *ex parte* Richard, June 19, 1876, 2 Copp's L. O. 163.
 Secretary Interior, *ex parte* Portland City, April 21, 1854.
 Secretary Interior, *ex parte* Lansdale *et al.*, July 13, 1860.
 Secretary Interior, Ebey v. Heirs of Ebey, April 22, 1862.
 Secretary Interior, Smith v. Heirs of Willa, June 11, 1866.
 Secretary Interior, Heatherly v. Hadley & Owen, May 24, 1870.
 Secretary Interior, Jeffers v. Dubois, Nov. 25, 1871.
 Secretary Interior, Woodward & Edwards v. Strickler, Nov. 14, 1871.
 Secretary Interior, *ex parte* Dalles Missionary Station, March 15, 1875.
 Secretary Interior, *ex parte* Scott, July 24, 1876.
 Secretary Interior, *ex parte* Poole, Oct. 21, 1878.
 Com'r G. L. O., City of Portland v. Lownsdale *et al.*, Oct. 18, 1858, 1 Lester, 437.
 Com'r G. L. O., *ex parte* Yoakum, March 23, 1874, 1 Copp's L. O. 3.
 Com'r G. L. O., *ex parte* Meek & Luelling, April 22, 1874, 1 Copp's L. O. 21.
 Com'r G. L. O., Lewis v. Hodges, April 30, 1875, 2 Copp's L. O. 54.

DONATIONS—Continued.

Oregon :

- Com'r G. L. O., City of Seattle v. McAleer, Jan. 12, 1877, 3 Copp's L. O. 179.
 Com'r G. L. O., *ex parte* Portland City, April 17, 1854.
 Com'r G. L. O., *ex parte* Veatch, April 3, 1857.
 Com'r G. L. O., *ex parte* Lansdale *et al.*, Oct. 18, 1858.
 Com'r G. L. O., *ex parte* Weaver's heirs, Jan. 29, 1860.
 Com'r G. L. O., *ex parte* Conner's administrator, May 14, 1861.
 Com'r G. L. O., Powers v. Shaw, July 6, 1861.
 Com'r G. L. O., Ebey v. Heirs of Ebey, Oct. 19, 1861.
 Com'r G. L. O., *ex parte* Gaines, Jan. 7, 1862.
 Com'r G. L. O., *ex parte* Lander, April 21, 1862.
 Com'r G. L. O., Anderson v. Howard, Nov. 28, 1863.
 Com'r G. L. O., *ex parte* Baker, Sept. 14, 1865.
 Com'r G. L. O., *ex parte* McNutt & Gager, Sept. 27, 1865.
 Com'r G. L. O., Smith v. Heirs of Willa, March 1, 1866.
 Com'r G. L. O., *ex parte* Rannison, March 6, 1866.
 Com'r G. L. O., *ex parte* Merrick, May 23, 1867.
 Com'r G. L. O., Heatherly v. Hadley & Owen, July 13, 1868.
 Com'r G. L. O., *ex parte* Portland City, Oct. 18, 1868.
 Com'r G. L. O., *ex parte* Bellinger's heirs, Jan. 15, 1869.
 Com'r G. L. O., Jeffers v. Dubois, June 16, 1870.
 Com'r G. L. O., *ex parte* Gardefy, Dec. 22, 1870.
 Com'r G. L. O., Law v. Caston, May 2, 1871.
 Com'r G. L. O., *ex parte* Wilson's heirs, April 30, 1872.
 Com'r G. L. O., *ex parte* Taylor, June 5, 1873.
 Com'r G. L. O., *ex parte* Martin, July 11, 1873.
 Com'r G. L. O., *ex parte* Howe, June 17, 1874.
 Com'r G. L. O., Hudson v. Kendall, Nov. 6, 1874.
 Com'r G. L. O., *ex parte* Doncette, Jan. 5, 1875.
 Com'r G. L. O., *ex parte* Mattoon, Feb. 13, 1875.
 Com'r G. L. O., *ex parte* Buck, Oct. 12, 1875.
 Com'r G. L. O., *ex parte* Stewart, Oct. 12, 1875.
 Com'r G. L. O., *ex parte* Stevens, Oct. 13, 1875.
 Com'r G. L. O., *ex parte* Huntley, Oct. 14, 1875.
 Com'r G. L. O., *ex parte* Leslie, Oct. 18, 1875.
 Com'r G. L. O., *ex parte* Scott, Dec. 10, 1875.
 Com'r G. L. O., *ex parte* Cornwell, Feb. 1, 1877.
 Com'r G. L. O., *ex parte* Rush, March 22, 1877.
 Com'r G. L. O., *ex parte* Rowland, March 27, 1877.
 Com'r G. L. O., *ex parte* Coe, July 17, 1877.
 Com'r G. L. O., *ex parte* Robinson, July 20, 1877.
 Com'r G. L. O., *ex parte* Heirs of Bray, Aug. 1, 1877.
 Com'r G. L. O., *ex parte* Landreth, Sept. 18, 1877.
 Com'r G. L. O., *ex parte* Poole, Nov. 28, 1877.
 Com'r G. L. O., *ex parte* Williams, Dec. 1, 1877.
 Com'r G. L. O., *ex parte* Lyons, March 13, 1878.

DONATIONS—Continued.

Oregon :

- Com'r G. L. O., *ex parte* Judkins, May 31, 1878.
 Com'r G. L. O., *ex parte* Banton, June 18, 1878.
 Com'r G. L. O., *ex parte* Bonham, Aug. 28, 1878.
 Com'r G. L. O., *ex parte* Myers, Feb. 25, 1879.
 Com'r G. L. O., *ex parte* Landreth, Sept. 5, 1879.
 Com'r G. L. O., *ex parte* Judkins, Sept. 5, 1879.

Washington Territory :

- Shockley v. Brown, 1 Wash. Ty. 463.
 Secretary Interior, Mission St. James, May 10, 1872, Copp's L. L. 752.
 Secretary Interior, McBean v. Owen, June 11, 1877, 2 Copp's L. O. 53.
 Secretary Interior, *ex parte* Fennell, Feb. 15, 1858, 3 Copp's L. O. 133.
 Secretary Interior, Bush v. Bradford, Nov. 28, 1872.
 Secretary Interior, Mission Santa Rosa v. Bussell, Dec. 8, 1873.
 Secretary Interior, *ex parte* Bolen and wife, Jan. 3, 1879.
 Com'r G. L. O., McBean v. Owen, Oct. 14, 1874, 1 Copp's L. O. 130.
 Com'r G. L. O., *ex parte* Kindred, April 16, 1877, 4 Copp's L. O. 19.
 Com'r G. L. O., Williams v. Martin, May 31, 1878, 5 Copp's L. O. 90.
 Com'r G. L. O., *ex parte* Butler, Jan. 4, 1861.
 Com'r G. L. O., Church v. Miller, June 8, 1864.
 Com'r G. L. O., *ex parte* Swan, Jan. 6, 1866.
 Com'r G. L. O., *ex parte* Bozarth, Oct. 21, 1867.
 Com'r G. L. O., *ex parte* Gobar, Dec. 11, 1868.
 Com'r G. L. O., Mission Santa Rosa v. Bussell, Jan. 27, 1872.
 Com'r G. L. O., *ex parte* Morse & Biers, March 24, 1873.
 Com'r G. L. O., *ex parte* Thomas, Jan. 30, 1875.
 Com'r G. L. O., *ex parte* King, April 25, 1876.
 Com'r G. L. O., *ex parte* McCarty, April 12, 1877.
 Com'r G. L. O., *ex parte* Paulding, April 23, 1877.
 Com'r G. L. O., *ex parte* Van Buren, Sept. 10, 1877.
 Com'r G. L. O., *ex parte* Bolen and wife, Feb. 21, 1878.
 Com'r G. L. O., *ex parte* Bolen and wife, March 1, 1880.

Desert land entries :

- Secretary Interior, *ex parte* Guinean, Feb. 11, 1880, 7 Copp's L. O. 8.
 Secretary Interior, *ex parte* Downey, April 15, 1880, 7 Copp's L. O. 26.
 Com'r G. L. O., circular, April 8, 1875, Copp's L. L. 216.
 Com'r G. L. O., circular, March 12, 1875, 4 Copp's L. O. 22.
 Com'r G. L. O., *ex parte* Reeves, July 16, 1879, 6 Copp's L. O. 76.
 Com'r G. L. O., *ex parte* Bowman, Feb. 16, 1880, 6 Copp's L. O. 192.
 Com'r G. L. O., instructions, Sept. 13, 1880, 7 Copp's L. O. 105.
 Com'r G. L. O., instructions, Aug. 28, 1880, 7 Copp's L. O. 106.

DOWER—

- Longworthy v. Heeb, 46 Iowa, 64.
 Chufinabee v. Nix et al., 3 Porter (Ala.) 302.
 Baker v. heirs of Chastang, 18 Ala. 417.
 Wells v. Moore, 16 Mo. 478.

DUBUQUE, TOWN OF—

- Chouteau v. Molony, 16 How. 203.
 Taber v. Levi, Morris (Iowa), 372.
 Davis v. O'Ferrall, 4 Greene (Iowa) 358.
 Instructions Aug. 9, 1836, 2 L. I. & O. 963.
 Com'r G. L. O., instructions, March 23, 1837, 2 L. I. & O. 977.

EASEMENT—

Public, in navigable waters, &c. :

- Lovington v. County of St. Clair, 64 Illa. 56.
 Baxon v. Bressler, 64 Illa. 488.
 Moore v. Sanborne, 2 Mich. 520.
 Lorman v. Benson, 8 Mich. 18.
 Jones v. Pettibone, 2 Wis. 308.
 Walker v. Stephenson, 4 Wis. 486.
 Oleson v. Merrill, 42 Wis. 203.
 Deleplaine v. C. & N. W. R. R. Co., 42 Wis. 214.
 Boorman v. Sunnucks, 42 Wis. 233.
 Brisbane v. St. P. & S. C. R. R., 23 Minn. 114.
 Steamboat Globe v. Kurtz, 4 Greene (Iowa), 433.
 Musser v. Hershey, 42 Iowa, 356.
 Duverge v. Salter, 6 La. Ann. 450.
 O'Fallon v. Daggett, 4 Mo. 209.
 Weise v. Smith, 3 Oreg. 445.
 Eldred v. Cowell, 4 Cal. 80.
 Guy v. Hermance, 5 Cal. 73.
 Ward v. Mulford, 32 Cal. 365.

Roads, &c. :

- Harris v. Elliott, 10 Pet. 25.
 Village of Mankato v. Meagher, 17 Minn. 265.

Railroads :

- D. & R. G. R. R. v. Cañon City R. R., 9 Otto, 463.
 C. P. R. R. Co. v. Dyer et al., 1 Saw. C. C. 641.
 C. P. R. R. Co. v. Benity, 5 Saw. C. C. 118.
 Cal. N. R. R. Co. v. Gould, 21 Cal. 254.
 Doran v. C. P. R. R. Co., 24 Cal. 245.
 Secretary Interior, circular, June 30, 1875, Copp's L. L. 388.
 Secretary Interior, D. & R. G. R. R. v. P. & A. V. R. R., Sept. 5, 1878.
 Secretary Interior, D. & R. G. R. R. v. P. & A. V. R. R., Sept. 11, 1878.
 Com'r G. L. O., *ex parte* W. & S. C. R. R., May 10, 1877, 4 Copp's L. O. 91.
 Com'r G. L. O., circular, March 9, 1878, 5 Copp's L. O. 35.
 Com'r G. L. O., circular, Nov. 7, 1879, 6 Copp's L. O. 144.

Water-dams, ferries, &c. :

- Broder v. Water Co., 11 Otto, 274.
 Union Mill and Mfg. Co. v. Ferria, 2 Saw. C. C. 176.
 Wilcoxon v. McGhie, 12 Illa. 381.
 Hadden v. Stroutz, 15 Illa. 581.
 Arimond v. Green Bay & Misa. Co., 31 Wis. 317.
 United States v. Fanning, Morris (Iowa), 348.
 Cloyes v. Keatta, 18 Ark. 19.
 Walker v. Armstrong, 2 Kana. 198.
 Robertson v. Smith, 1 Montana, 410.
 Rush v. Jackson, 24 Cal. 308.
 Hobart v. Ford, 6 Nev. 77.
 Barnes v. Sabron, 10 Nev. 217.

EJECTMENT—

Conflicting legal titles in :

- Henshaw v. Bissell, 18 How. 255.
 Miller v. Dale, 2 Otto, 473.
 Tulock v. Taylor, 26 Ark. 54.
 Norton v. Blackenship, 5 Mo. 346.
 Webber v. Marshall, 19 Cal. 447.
 Smith v. Athern, 34 Cal. 506.
 Keoran v. Griffith, 34 Cal. 580.

Equitable title independent :

- Singleton v. Touchard, 1 Black, 342.
 Allison v. Hunter, 9 Mo. 749.
 Gluckauf v. Reed, 22 Cal. 468.
 Page v. Hobbs, 27 Cal. 484.
 Tyler v. Green, 28 Cal. 406.
 Reed v. Caruthers, 47 Cal. 31.

Requisites to maintain action :

- Denise v. Ruggles, 16 How. 242.
 Fenn v. Holme, 21 How. 481.
 Hooper v. Scheimer, 23 How. 235.
 Singleton v. Touchard, 1 Black, 342.
 Van Reynegan v. Bolton, 5 Otto, 33.
 Snyder v. Van Sickles, 8 Otto, 203.
 Gunderson v. Cook, 33 Wis. 551.
 McLane v. Bovee, 33 Wis. 27.
 McClairen v. Wicker, 8 Ark. 192.
 Gaines v. Hale, 16 Ark. 9.
 Burke v. Gaines, 16 Ark. 27.

EJECTMENT—Continued.

Requisites to maintain action :

Rector v. Gaines, 19 Ark. 70.
 Sweptzer v. Gaines, 19 Ark. 96.
 Tulock v. Taylor, 26 Ark. 54.
 Gaither v. Lawson, 31 Ark. 279.
 Surginer v. Paddock, 31 Ark. 529.
 Hickman v. Gan, 1 Mo. 274.
 Rector v. Hatch, 1 Mo. 333.
 James v. Guino, 4 Mo. 458.
 Morton v. Blackenship, 5 Mo. 346.
 Cabunne v. Lindell, 13 Mo. 184.
 Lands v. Perkins, 12 Mo. 238.
 Gray v. Givea, 26 Mo. 291.
 Davis v. Thompson, 36 Mo. 39.
 Robbins v. Eckler, 36 Mo. 494.
 Morton v. Green, 2 Neb. 441.
 Sullivan v. Hense, 2 Colo. 424.
 Plume v. Seward, 4 Cal. 94.
 Gunn v. Bates, 6 Cal. 263.
 Baldwin v. Simpson, 12 Cal. 560.
 Hestres v. Brennan, 21 Cal. 423.
 Hutton v. Shumaker, 21 Cal. 453.
 Maboney v. Van Winkle, 21 Cal. 552.
 Galup v. Armstrong, 22 Cal. 480.
 Coleman v. Clements, 23 Cal. 245.
 Carpenter v. Thurston, 24 Cal. 268.
 Keeran v. Griffith, 27 Cal. 87.
 Davis v. Perley, 30 Cal. 630.
 Polack v. McGrath, 32 Cal. 15.
 Page v. O'Brien, 36 Cal. 559.
 Toland v. Mandell, 38 Cal. 30.
 Hughes v. Hazard, 42 Cal. 149.
 True v. Simpson, 42 Cal. 293.
 Young v. Shinn, 48 Cal. 26.
 Gallagher v. Riley, 49 Cal. 437.
 Sacramento Savings Bank v. Hughes, 50 Cal. 195.
 Steinway v. Rubio, 51 Cal. 41.
 Conlan v. Quinley, 51 Cal. 413.
 Kraft v. Calon, 9 Nev. 20.
 Op. Att. Gen., 2 L. I. & O. 157.

When decision in, conclusive :

Waterman v. Smith, 13 Cal. 373.
 National Water Co. v. Clarkin, 14 Cal. 543.
 Montgomery v. Whitney, 40 Cal. 294.

When patent conclusive in :

Polk's lessee v. Wendell et al., 9 Cranch, 87.
 Polk's lessee v. Wendell et al., 5 Wheat. 292.
 Hoofnagle v. Anderson, 7 Wheat. 212.
 Patterson v. Winn, 11 Wheat. 380.
 Patterson v. Jenks, 2 Pet. 216.
 Stringer et al. v. Young's lessee et al., 3 Pet. 320.
 Boardman v. Reed et al., 6 Pet. 328.
 Hughes v. United States, 11 How. 562.
 Bagnell v. Broderick, 13 How. 436.
 Minter v. Crommelin, 18 How. 87.
 Field v. Seabury, 19 How. 323.
 Fenn v. Holme, 21 How. 242.
 Hooper v. Scheimer, 23 How. 235.
 United States v. Stone, 2 Wall. 525.
 Hughes v. United States, 4 Wall. 232.
 Johnson v. Towale, 13 Wall. 72.
 Gibson v. Chanteau, 13 Wall. 92.
 French v. Fyan, 3 Otto, 169.
 Moore v. Robbins, 6 Otto, 530.
 Patterson v. Tatum, 3 Saw. C. C. 175.
 Eureka Con. Mg. Co. v. Richmond Mg. Co., 4 Saw. C. C. 302.
 Clark v. Hull, 19 Mich. 356.
 Hedley v. Leonard, 35 Mich. 71.
 Parkison v. Buchen, 1 Pinney (Wis.) 174.
 Schnee v. Schnee, 23 Wis. 377.
 Moore v. Hunter, 6 Ills. 317.
 Allison v. Hunter, 9 Mo. 749.
 Broh v. Gillis, 67 Mo. 102.
 Jenkins v. Gibson, 3 La. Ann. 203.
 Masters v. Eustis, 3 Porter (Ala.) 368.
 Arnold v. Grimes, 2 Greene (Iowa), 77.
 The State v. S. C. & P. R. R. Co., 7 Neb. 357.
 Smith v. Pipe, 3 Colo. 187.
 Summers v. Dickinson, 9 Cal. 554.
 Moore v. Wilkinson, 13 Cal. 478.
 Yount v. Howell, 14 Cal. 465.
 Doll v. Meador, 16 Cal. 296.

EJECTMENT—Continued.

When patent conclusive in :

Rhodes v. Craig, 21 Cal. 419.
 Carder v. Baxter, 28 Cal. 99.
 Durfee v. Plaisted, 38 Cal. 80.
 Collins v. Bartlett, 44 Cal. 371.
 Reed v. Caruthers, 47 Cal. 81.
 Chant v. Reynolds, 49 Cal. 213.
 Weaver v. Fairchild, 50 Cal. 360.
 Cruz v. Martinez, 53 Cal. 239.

EMINENT DOMAIN—

Pollard's lessee v. Hogan, 3 How. 212.
 Gold Hill Mg. Co. v. Ish, 5 Oreg. 104.
 People v. Folsom, 5 Cal. 373.
 Hobart v. Ford, 6 Nev. 77.
 Com'r G. L. O., ex parte Taylor et al., Nov. 5, 1874, 7 Copp's L. O. 155.

ENTRY—

Application and tender :

3 Op. Att. Gen. 211, 240; June 24, 1836, 2 L. I. & O. 209.
 Secretary Interior, Pardue v. Cox, June 17, 1859, 1 Lester, 353.
 Secretary Interior, McClure v. Dickinson, Aug. 31, 1858, 1 Lester, 561.
 Secretary Interior, ex parte Meyer, March 8, 1852, 1 Lester, 671.
 Secretary Interior, Baldwin v. Anderson, Dec. 31, 1855, 1 Lester, 674.
 Secretary Interior, ex parte Hicks, June 21, 1880, 7 Copp's L. O. 71.
 Com'r G. L. O., Brown v. Reynolds, June 13, 1837, 2 L. I. & O. 128.
 Com'r G. L. O., Brown v. Reynolds, June 29, 1837, 2 L. I. & O. 132.
 Com'r G. L. O., instructions, Jan. 23, 1816, 2 L. I. & O. 286.
 Com'r G. L. O., instructions, Aug. 2, 1833, 2 L. I. & O. 479.
 Com'r G. L. O., instructions, Aug. 12, 1833, 2 L. I. & O. 480.
 Com'r G. L. O., instructions, Dec. 30, 1833.
 Com'r G. L. O., Harris v. Owens, 2 L. I. & O. 489.
 Com'r G. L. O., ex parte Polley, April 8, 1858, 1 Lester, 352.
 Com'r G. L. O., circular, June 17, 1875, Copp's L. L. 191.
 Com'r G. L. O., ex parte Fosnat, June 6, 1874, Copp's L. L. 633.
 Com'r G. L. O., circular, April 15, 1873, Copp's L. L. 669.
 Com'r G. L. O., ex parte Hogden et al., Nov. 3, 1874, Copp's L. L. 676.

Cancellation of :

Gaines v. Thompson, 7 Wall. 347.
 McCarty v. Moran, 2 Dillon, C. C. 441.
 Gray v. McCance, 14 Ills. 343.
 McGee v. Wright, 16 Ills. 557.
 Baltz v. Sale, 43 Ills. 351.
 Brill v. Stiles, 35 Ills. 305.
 Aldrich v. Aldrich, 37 Ills. 32.
 Robbins v. Bunn, 54 Ills. 48.
 Newport v. Cooper, 10 La. 155.
 Bettis v. Amonett, 4 La. Ann. 364.
 Wynn v. Garland, 16 Ark. 440.
 Morton v. Blackenship, 5 Mo. 346.
 Perry v. O'Hanlon, 11 Mo. 373.
 Hestres v. Brennan, 50 Cal. 211.
 Secretary Interior, Taylor v. Bell, Dec. 15, 1858, 1 Lester, 405.
 Secretary Interior, Dewey v. Allen, Dec. 13, 1858, 1 Lester, 406.
 Secretary Interior, Humphrey v. Stowe, Dec. 18, 1858, 1 Lester, 408.
 Secretary Interior, Deyo v. Reese, Aug. 2, 1859, 1 Lester, 694.
 Secretary Interior, Behme v. Donken, Oct. 23, 1872, Copp's L. L. 253.
 Secretary Interior, Crystal v. Dahl, April 13, 1872, Copp's L. L. 316.
 Secretary Interior, Eno v. McDonald, Aug. 5, 1874, Copp's L. L. 317.
 Secretary Interior, State Cal. v. Floyd, Sept. 18, 1872, Copp's L. L. 326.
 Secretary Interior, Sloan v. L. F. & S. C. R. R., Copp's L. L. 416.
 Secretary Interior, Goodno v. L. L. & G. R. R. Co., March 31, 1874, Copp's L. L. 430.

ENTRY—Continued.

Cancellation of:

- Com'r G. L. O., circular, June 5, 1872, Copp's L. L. 239.
 Com'r G. L. O., circular, June 25, 1869, Copp's L. L. 248.
 Com'r G. L. O., circular, Jan. 5, 1875, Copp's L. L. 251.
 Com'r G. L. O., circular, June 13, 1872, Copp's L. L. 264.

Confirmation of:

- Secretary Interior, *Pardue v. Cox*, June 17, 1859, 1 Lester, 353.
 Secretary Interior, *ex parte Huggins*, Dec. 27, 1858, Zab. L. L. 426.
 Secretary Interior, *ex parte Bostick*, Dec. 2, 1859, Zab. L. L. 429.
 Secretary Interior, *ex parte Harbinson*, July 12, 1876, 3 Copp's L. O. 54.
 Secretary Interior, *ex parte Brown et al.*, June 27, 1878, 5 Copp's L. O. 101.
 Secretary Interior, *ex parte Reed et al.*, May 28, 1880, 7 Copp's L. O. 91.
 Com'r G. L. O., circular, Sept. 28, 1842, 1 Lester, 362.
 Com'r G. L. O., circular, Oct. 3, 1846, Zab. L. L. 422.
 Com'r G. L. O., *ex parte Harbach*, July 2, 1859, Zab. L. L. 427.
 Com'r G. L. O., circular, May 27, 1876, 3 Copp's L. O. 52.
 Com'r G. L. O., circular, May 21, 1876, 3 Copp's L. O. 53.

Correction and change of:

- 2 Op. Att. Gen. 341.
 Secretary Treasury, circular, Jan. 1, 1822, 2 L. I. & O. 357.
 Secretary Treasury, *ex parte Taylor*, June 20, 1823, 2 L. I. & O. 369.
 Secretary Interior, *ex parte Baldwin*, Dec. 31, 1855, 1 Lester, 674.
 Secretary Interior, instructions, Jan. 28, 1850, 1 Lester 688.
 Com'r G. L. O., circular, June 2, 1824, 2 L. I. & O. 379.
 Com'r G. L. O., circular, March 13, 1825, 2 L. I. & O. 388.
 Com'r G. L. O., *ex parte Ganong*, Dec. 13, 1826, 2 L. I. & O. 400.
 Com'r G. L. O., circular, Aug. 31, 1830, 2 L. I. & O. 429.
 Com'r G. L. O., instructions, Jan. 25, 1834, 2 L. I. & O. 491.
 Com'r G. L. O., circular, July 23, 1849, 1 Lester, 323.
 Com'r G. L. O., circular, Jan. 9, 1854, 1 Lester, 670.
 Com'r G. L. O., circular, June 5, 1872, Copp's L. L. 239.
 Com'r G. L. O., circular, April 30, 1867, Copp's L. L. 818.
 Com'r G. L. O., circular, Jan. 19, 1854, Copp's L. L. 823.
 Com'r G. L. O., circular, Aug. 8, 1878, 5 Copp's L. O. 134.

Construction of:

- Meredith v. Picket*, 9 Wheat. 573.
Danforth v. Wear, 9 Wheat. 673.
Chotard v. Pope, 12 Wheat. 586.
Holmes v. Trout, 7 Pet. 171.
Lattimer v. Poteet, 14 Pet. 4.
Croghan's lessee v. Nelson, 3 How. 187.
Lindsey v. Hawes, 2 Black. 554.
Warren v. Van Brunt, 19 Wall. 646.
Holmes v. Trout, 1 McLean, C. C. 1.
Pettigrew v. Shirly, 9 Mo. 683.

Effect of:

- Bodley v. Taylor*, 5 Cranch, 191.
Polk's lessee v. Wendal, 9 Cranch, 87.
Finley v. Williams, 9 Cranch, 164.
Ross v. Reed, 1 Wheat. 482.
Hoofnagle v. Anderson, 7 Wheat. 212.
Elmendorf v. Taylor, 10 Wheat. 152.
Hunt v. Wickliffe, 2 Pet. 201.
Peyton v. Stith, 5 Pet. 485.
Hooper et al. v. Scheimer, 23 How. 235.
Witherspoon v. Duncan, 4 Wall. 210.
Wirth v. Branson, 8 Otto, 118.
Parker v. Wallace, 3 Ohio, 490.

ENTRY—Continued.

Effect of:

- Parker v. Dunu*, 4 Ohio, 233.
Jackson v. Williams, 10 Ohio, 69.
Nisewanger v. Wallace, 16 Ohio, 557.
Phelps v. Kellogg, 15 Illa. 231.
McDowell v. Morgan, 23 Illa. 528.
Brill v. Stiles, 35 Illa. 305.
 • *Wilson v. Byna*, 77 Illa. 76.
Silliman v. King, 36 Iowa, 207.
Waters v. Bush, 42 Iowa, 255.
Rankin v. Miller, 43 Iowa, 11.
Godeau v. Phillips, 3 La. 59.
Orillion v. Dealonda, 9 La. 53.
Lefebore v. Comeau, 11 La. 221.
Kirby v. Fogleman, 16 La. 277.
Gurdry v. Woods, 19 La. 334.
Lott v. Prudhomme, 3 Rob. (La.) 293.
Baillin v. Burney, 3 Rob. (La.) 317.
Beanmont v. Covington, 6 Rob. (La.) 189.
McGill v. McGill, 4 La. Ann. 262.
Terry v. Aeunen, 4 La. Ann. 458.
Knox v. Pulliam, 14 La. Ann. 123.
Bullock v. Wilson, 2 Porter (Ala.) 436.
Goodlet v. Smithson, 5 Porter (Ala.) 245.
Wright v. Swan, 6 Porter (Ala.) 84.
Witherspoon v. Duncan, 21 Ark. 240.
Tulock v. Taylor, 26 Ark. 54.
Burginer v. Paddock, 31 Ark. 529.
Groom v. Hill, 9 Mo. 323.
Evans v. Labaddie, 10 Mo. 267.
Waller v. Von Phul, 14 Mo. 84.
Carman v. Johnson, 20 Mo. 108.
Carman v. Johnson, 29 Mo. 84.
McKean v. Crawford, 6 Kana. 112.
McKean v. Massey, 6 Kana. 122.
Franklin v. Kelly, 2 Neb. 79.
Morton v. Green, 2 Neb. 441.
Nevada v. Phrades, 4 Nev. 312.
Young v. Shinn, 48 Cal. 26.
Sacramento Savings Bank v. Hyma, 50 Cal. 195.
Picard v. Kelly, 52 Cal. 89.
Fugy v. Hansley, 52 Cal. 299.
 Secretary Interior, *ex parte Lynde*, Aug. 4, 1875, Copp's L. L. 798.
 Secretary Interior, *ex parte Hays*, May 2, 1876, 3 Copp's L. O. 21.
 Secretary Interior, *Plouch v. M. R. F. S. & G. R. R.*, Aug. 9, 1876, 3 Copp's L. O. 83.
 Secretary Interior, *State Iowa v. C. R. & M. R. R. R. et al.*, Aug. 24, 1876, 3 Copp's L. O. 84.
 Secretary Interior, *Thomas v. St. J. & D. R. R.*, Feb. 7, 1877, 3 Copp's L. O. 197.
 Secretary Interior, *Pond v. S. M. R. R.*, March 14, 1877, 4 Copp's L. L. 163.
 Secretary Interior, *Scrogin v. Culver*, Dec. 22, 1879, 7 Copp's L. O. 23.
 Com'r G. L. O., *ex parte Thompson*, Sept. 26, 1874, 1 Copp's L. O. 99.

Private entry:

- 2 Op. Att. Gen. 200.
 Secretary Interior, *Pardue v. Cox*, June 17, 1859, 1 Lester, 353.
 Secretary Interior, *Ott v. Yon*, March 26, 1850, 1 Lester, 382.
 Secretary Interior, *Humphrey v. Stowe*, Dec. 18, 1858, 1 Lester, 408.
 Secretary Interior, *ex parte Neilson*, July 17, 1871, Copp's L. L. 212.
 Secretary Interior, *ex parte Criss*, Nov. 20, 1871, Copp's L. L. 213.
 Secretary Interior, *Paxton v. Davidson*, March 8, 1872, Copp's L. L. 214.
 Secretary Interior, *ex parte Woodman*, March 16, 1870, Copp's L. L. 216.
 Secretary Interior, *Bovard v. Bunn*, Nov. 2, 1871, Copp's L. L. 803.
 Secretary Interior, *ex parte Putnam*, Nov. 30, 1877, 4 Copp's L. O. 146.
 Secretary Interior, *Scrogin v. Culver*, Dec. 22, 1879, 7 Copp's L. O. 23.
 Secretary Interior, *ex parte Hicks*, June 21, 1880, 7 Copp's L. O. 71.
 Com'r G. L. O., circular, June 17, 1875, Copp's L. L. 179.
 Com'r G. L. O., circular, Sept. 12, 1872, Copp's L. L. 215.

ENTRY—Continued.

Private entry:

Com'r G. L. O., *ex parte* Patten, April 14, 1872, Copp's L. L. 272.
Com'r G. L. O., circular, April 15, 1873, Copp's L. L. 667.

Sales of:

Dunlap v. Dunlap, 12 Wheat. 374.

What constitutes:

Matson v. Hord, 1 Wheat. 130.
Johnson v. Pannel's heirs, 2 Wheat. 206.
Shipp v. Miller's heirs, 2 Wheat. 316.
McArthur v. Browder, 4 Wheat. 488.
Polk's lessee v. Wendell, 5 Wheat. 293.
Watts v. Lindsey's heirs, 7 Wheat. 158.
McDowell v. Peyton, 10 Wheat. 454.
Littlepage v. Fowler, 11 Wheat. 215.
Taylor's devisee v. Owing, 11 Wheat. 226.
McDonald's heirs v. Smalley, 6 Pet. 261.
Garnett v. Jenkins, 8 Pet. 75.
Hughes v. United States, 4 Wall. 232.
Hastings v. Stevenson, 2 Ohio, 9.
Price v. Johnston, 1 Ohio St. 390.
Stubblefield v. Boggs, 2 Ohio St. 216.
Rogers v. Voss, 6 Iowa, 405.
Gaines v. Hale, 16 Ark. 9.
Burke v. Gaines, 16 Ark. 27.
Rector v. Gaines, 19 Ark. 70.
Allison v. Hunter, 9 Mo. 749.
Secretary Interior, *ex parte* Hays, May 8, 1876, 3 Copp's L. O. 21.
Secretary Interior, State Iowa v. C. R. & M. R. R. & al., Aug. 24, 1876, 3 Copp's L. O. 84.
Secretary Interior, Thomas v. St. J. & D. R. R., Feb. 7, 1877, 3 Copp's L. O. 191.

Virginia, under law of:

Wilson v. Mason, 1 Cranch, 45.
Perkins v. Ramsey, 5 Cranch, 269.
Dunlap v. Dunlap, 12 Wheat. 574.
Stringer v. Young's lessee, 3 Pet. 320.
Lindsey v. Miller's lessee, 9 Pet. 666.
Lindsey v. Miller's lessee, 1 McLean, C. C. 32.
Parker v. Dunn, 4 Ohio, 233.
Harlan v. Thatcher, 18 Ohio, 48.
Latham v. Offry, 18 Ohio, 104.
Price v. Johnson, 1 Ohio St. 390.
Stubblefield v. Boggs, 2 Ohio St. 216.
Wood v. Ferguson, 7 Ohio St. 288.

EVIDENCE—

Description and boundaries:

Meredith v. Picket, 9 Wheat. 573.
Boardman v. Reed et al., 6 Pet. 328.
Mackey v. Dillon, 4 How. 421.
Coon v. Penn, 1 Peters, C. C. 494.
Harmer v. Morris, 1 McLean, C. C. 44.
Alsbire v. Hulse, 1 Ohio, 170.
McCoy v. Galloway, 3 Ohio, 282.
Buckey v. Wolcott, 1 Doug. (Mich.) 19.
Moore v. People, 2 Doug. (Mich.) 420.
Britton v. Terry, 14 Mich. 53.
Stewart v. Carleton, 31 Mich. 270.
Moreland v. Page, 2 Iowa, 139.
Gayusos v. Baldwin, 8 Martin (La.) 658.
Weaver v. Robinett, 17 Mo. 459.

Patent:

Richart v. Phelps, 6 Wall. 160.
Morrow v. Whitney, 5 Otto, 551.
Wythe v. Haskell, 3 Saw. C. C. 574.
Hardy v. Harbin, 4 Saw. C. C. 536.
Chapman v. School Dist. No. 1, 1 Deady, C. C. 108.
Milker v. Starling, 16 Ohio, 61.
Platt v. Haner, 27 Mich. 167.
Johnson v. Ballou, 28 Mich. 379.
Parkinson v. Brocken, 1 Pinney (Wis.) 174.
Reynolds v. Weis, 27 Wis. 450.
Sexton v. Appleyard, 34 Wis. 235.
Cavender v. Smith, 3 Greene (Iowa), 349.
Blumenthal v. Roll, 24 Mo. 113.
H. & St. J. R. R. Co. v. Smith, 40 Mo. 310.
Rose v. Davis, 11 Cal. 133.
Jenny Lind Co. v. Bower, 11 Cal. 194.
Le Blanc v. Ludrique, 14 La. Ann. 772.
Barton v. Mussain, 27 Mo. 235.
Callaway v. Trash, 50 Mo. 420.
Ely v. Frisbie, 17 Cal. 250.
Galup v. Armstrong, 22 Cal. 480.

EVIDENCE—Continued.

Patent:

Hestres v. Brennan, 37 Cal. 385.
Vance v. Kohlberg, 50 Cal. 346.

In case of grant:

Ross v. Reed, 1 Wheat. 482.
United States v. Delespine's heirs, 12 Pet. 654.
Watkins v. Holman, 16 Pet. 25.
United States v. King, 3 How. 773.
United States v. Le Blanc, 12 How. 435.
United States v. Peralta, 19 How. 343.
United States v. Sutter, 21 How. 170.
United States v. Teschmaker, 23 How. 392.
United States v. Pico, 23 How. 406.
Dalton v. United States, 22 How. 436.
Fuentes v. United States, 22 How. 443.
United States v. Castro, 21 How. 346.
United States v. Neleigh, 1 Black, 298.
United States v. Auguisola, 1 Wall. 352.
Romero v. United States, 1 Wall. 721.
Pico v. United States, 2 Wall. 279.
Peralto v. United States, 3 Wall. 434.
United States v. Polack, 1 Hoff. L. Cas. 284.
Chapau v. Dewry, 9 Mich. 381.
Le Blanc v. Victor, 3 La. 44.
Lavergue v. Elkins, 17 La. 220.
Hallet v. Heirs of Eslava, 3 Stew. & Port. (Ala.) 105.
Moss v. Anderson, 7 Mo. 337.
Clarkson v. Buchanan, 53 Mo. 563.
Lockwood v. H. & St. J. R. R. Co., 65 Mo. 233.
Birch v. Gillis, 67 Mo. 102.
Gunn v. Bates, 6 Cal. 263.
Pierce v. Wallace, 18 Cal. 165.
Soto v. Kroder, 19 Cal. 87.
Downer v. Smith, 24 Cal. 114.
Thornton v. Thompson, 28 Cal. 602.
Robinson v. Forrest, 29 Cal. 317.
Rice v. Cunningham, 29 Cal. 492.
Donner v. Palmer, 31 Cal. 501.

Certified copies:

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United States v. Wiggins, 14 Pet. 334.
United States v. Rodman, 15 Pet. 130.
United States v. Delespine's heirs, 15 Pet. 226.
United States v. Acosta, 1 How. 24.
Hedrick v. Hughes, 15 Wall. 123.
Smith v. Mosier, 5 Blackf. (Ind.) 51.
Doe v. Hildreth, 2 Ind. 274.
Lane v. Bommelman, 17 Ill. 95.
Deury v. Campbell, 4 Mich. 565.
Gilman v. Riopelle, 18 Mich. 144.
Clark v. Hall, 19 Mich. 356.
Boyce v. Stambaugh, 34 Mich. 348.
Bovee v. McLean, 24 Wis. 225.
Ansley v. Peterson, 30 Wis. 653.
McLean v. Bovee, 35 Wis. 27.
Kelly v. Wallace, 14 Minn. 236.
Washburn v. Mendenhall, 21 Minn. 332.
Bellows v. Todd, 34 Iowa, 18.
Judice v. Chretien, 3 Rob. (La.) 15.
Ryder v. Innerarity, 4 Stew. & Port. (Ala.) 14.
Innerarity v. Mims' heirs, 1 Ala. 660.
Stephens v. Westwood, 25 Ala. 716.
Johnson v. Mays, 8 Ark. 386.
Bryan v. Wear, 4 Mo. 106.
Roussin v. Parks, 8 Mo. 528.
Barton v. Mussain, 27 Mo. 235.
Gregory v. McPherson, 13 Cal. 562.
The Natoma Water Co. v. Clarkin, 14 Cal. 543.
Young v. Emerson, 18 Cal. 416.
Soto v. Kroder, 19 Cal. 87.
Glaswood v. Hastings, 38 Cal. 216.
Local laws and customs:
Roberts v. Wilson, 1 Utah, 292.
Sullivan v. Hense, 2 Colo. 427.
Fairbanks v. Woodhouse, 6 Cal. 433.
Roach v. Gray, 16 Cal. 383.
Attwood v. Tricot, 17 Cal. 38.
Swamp lands:
H. & St. J. R. R. Co. v. Smith, 40 Mo. 310.
Clarkson v. Buchanan, 53 Mo. 563.
Lockwood v. H. & St. J. R. R. Co., 65 Mo. 232.
Funkhouser v. Peck, 67 Mo. 20.

EVIDENCE—Continued.

Swamp lands:

Birch v. Gillis, 67 Mo. 102.
 Thornton v. Thompson, 28 Cal. 602.
 Robinson v. Forrest, 29 Cal. 317.
 Keeran v. Allen, 33 Cal. 542.
 Thompson v. Thornton, 50 Cal. 142.

Certificate of surveys and copies:

Taylor & Quarles v. Brown, 5 Cranch, 234.
 Blake et al. v. Doherty et al., 5 Wheat. 359.
 Ellicott v. Pearl, 10 Pet. 412.
 United States v. Breward, 16 Pet. 143.
 United States v. Hanson, 16 Pet. 196.
 Johnston v. Jones, 1 Black, 209.
 Doe v. Hildreth, 2 Ind. 274.
 Lawrence v. Grout, 12 La. Ann. 835.
 Harmon v. Eddin, 3 Stewart (Ala.) 192.
 Cardoff v. Orma, 7 Port. (Ala.) 58.
 Ashley v. Rector, 20 Ark. 339.
 Rector v. Hatch, 1 Mo. 333.
 Bryan v. Wear, 4 Mo. 106.
 Trotter v. B'd of St. Louis, 9 Mo. 69.
 Ott v. Souland, 9 Mo. 581.
 McGill v. Somers, 15 Mo. 80.
 City of St. Louis v. Toney, 21 Mo. 243.
 Milburn v. Hardy, 28 Mo. 514.
 Clark v. Hammerle, 36 Mo. 620.
 Hensley v. Tapley, 7 Cal. 288.
 Megerle v. Ashe, 33 Cal. 74.
 Poppe v. Athearn, 42 Cal. 606.

Public records:

Lane v. Bommelman, 17 Ills. 95.
 Lacey v. Davis, 4 Mich. 140.
 Gilman v. Riopelle, 18 Mich. 144.
 Bradley v. Silable, 33 Mich. 328.
 Sands v. Davis, 40 Mich. 14.
 McLean v. Bovee, 35 Wis. 27.
 Dutillet v. Blanchard, 14 La. Ann. 97.
 Stephens v. Westwood, 25 Ala. 716.
 Finley v. Woodruff, 8 Ark. 328.
 Wright v. Thomas, 4 Mo. 577.
 Clark v. Hammerle, 27 Mo. 55.
 Conner v. McPhee, 1 Montana, 73.
 Donner v. Palmer, 31 Cal. 501.

Fraud:

Jamison v. Doe, 4 Ills. 113.

Certificate of land officer:

Wilcox v. Kinzie, 4 Ills. 218.
 Russell v. Whiteside, 5 Ills. 7.
 Carson v. Merle, 5 Ills. 363.
 Delanny v. Burnett, 9 Ills. 454.
 Gates v. Winslow, 1 Wis. 555.
 Bigelow v. Blake, 18 Wis. 520.
 Farrand v. C. & N. W. R. R., 21 Wis. 435.
 Ansley v. Peterson, 30 Wis. 653.
 McLean v. Bovee, 35 Wis. 27.
 Dorman v. Ames, 12 Minn. 451.
 Arnold v. Grimes, 2 Greene (Iowa), 77.
 Cavender v. Smith, 3 Greene (Iowa), 349.
 Godeau v. Phillips, 3 La. 59.
 Newport v. Cooper, 10 La. 155.
 Lesapier v. Daskiell, 14 La. 467.
 Gurdry v. Woods, 19 La. 334.
 Beaumont v. Covington, 6 Rob. (La.) 189.
 Lawrence v. Grout, 12 La. Ann. 835.
 Ryder v. Innerarity, 4 Stew. & Port. (Ala.) 14.
 Bullock v. Wilson, 2 Port. (Ala.) 436.
 Floyd v. Ricks, 14 Ark. 286.
 Gurno v. Jones, 6 Mo. 330.
 Macklot v. Dubreuil, 9 Mo. 477.
 Montgomery v. Landusky, 9 Mo. 714.
 McGill v. Somers, 15 Mo. 80.
 Cannan v. Johnson, 29 Mo. 84.
 H. & St. J. R. R. Co. v. Smith, 40 Mo. 310.
 Williams v. Carpenter, 42 Mo. 327.
 Massey v. Smith, 64 Mo. 347.
 Funkhouser v. Peck, 67 Mo. 20.
 Ward v. Moorly, 1 Wash. Ty. 122.
 Butterfield v. C. P. R. R. Co., 31 Cal. 264.
 Hastings v. Devlin, 40 Cal. 358.
 Slaughter v. Fowler, 44 Cal. 195.
 McDonald v. Edmunds, 44 Cal. 328.
 Young v. Shinn, 48 Cal. 26.

Declarations:

Barclay v. Howell's lessee, 6 Pet. 498.
 Ellicott v. Pearl, 10 Pet. 412.

Handwriting:

Strother v. Lucas, 6 Pet. 263.

EVIDENCE—Continued.

Handwriting:

United States v. Oslo, 23 How. 273.
 United States v. Moreno, 1 Wall. 400.
 Bryan v. Wear, 4 Mo. 106.
 Downer v. Smith, 24 Cal. 114.

Hearsay:

Coon v. Penn, 1 Peters, C. C. 496.
 Ellicott v. Pearl, 1 McLean, C. C. 206.
 Stockton v. Williams, 1 Doug. (Mich.) 546.
 Clark v. Hammerle, 27 Mo. 55.

Cancellation:

Butler v. State, 6 Ind. 165.
 Doe v. Stephenson, 9 Ind. 144.
 Bovee v. McLean, 24 Wis. 225.
 Ansley v. Peterson, 30 Wis. 653.
 Newport v. Cooper, 10 La. 155.
 Gurdry v. Woods, 19 La. 334.

FLOUR-OY, ALFRED—

Act for relief of: 2 Op. Att. Gen. 44.

FORFEITURE—

United States v. Reading, 18 How. 1.
 United States v. Larkin et al., 18 How. 557.
 Schulenberg v. Harriman, 21 Wall. 44.
 McMicken v. United States, 7 Otto, 204.
 Platt v. U. P. R. R., 9 Otto, 48.
 Schulenberg v. Harriman, 2 Dillon, C. C. 398.
 Woodbury v. Dorman, 15 Minn. 338.
 Godeau v. Phillips, 3 La. 59.
 Marsh v. Gonsonlin, 16 La. 84.
 Kirby v. Fogleman, 16 La. 277.
 Ludelling v. Vester, 20 La. Ann. 433.
 Murdock v. Gurley, 5 Rob. (La.) 467.
 Gill v. Taylor, 3 Port. (Ala.) 182.
 Rogers v. Rawlings et al., 8 Port. (Ala.) 325.
 Comm'r, &c. v. Wau-zop-pe-che, 3 Kana. 364.
 People v. Folsom, 5 Cal. 373.
 Fairbanks v. Woodhouse, 6 Cal. 433.
 Waring v. Crow, 11 Cal. 366.
 Kimball v. Gearhart, 12 Cal. 27.
 Waterman v. Smith, 13 Cal. 373.
 Gregory v. McPherson, 13 Cal. 562.
 Coleman v. Clements, 23 Cal. 245.
 Wiseman v. McNulty, 25 Cal. 230.
 St. John v. Kidd, 26 Cal. 264.
 Borland v. Lewis, 43 Cal. 569.
 Morenhaut v. Wilson, 53 Cal. 226.
 Secretary Treasury, instructions, July 31, 1801, 2 L. I. & O. 228.
 Secretary Treasury, instructions, April 11, 1804, 2 L. I. & O. 240.
 Secretary Treasury, instructions, Oct. 16, 1804, 2 L. I. & O. 247.
 Secretary Interior, Noel v. Pepper, Feb. 3, 1859, 1 Lester, 409.
 Secretary Interior, Johnson v. Doyle, June 17, 1859, 1 Lester, 414.
 Secretary Interior, Raph v. Hudgens et al., Oct. 26, 1858, 1 Lester, 423.
 Secretary Interior, Webster v. Sutherland, Oct. 19, 1872, Copp's L. L. 312.
 Secretary Interior, Catala v. Austin et al., Oct. 12, 1874, 1 Copp's L. O. 115.
 Secretary Interior, Bell v. C. R. I. & P. R. R., Aug. 31, 1876, 3 Copp's L. O. 166.
 Secretary Interior, ex parte Dudymott, July 23, 1878, 5 Copp's L. O. 69.
 Secretary Interior, ex parte S. M. R. R., Dec. 5, 1879, 6 Copp's L. O. 156.
 Secretary Interior, ex parte S. M. R. R., Nov. 29, 1879.
 Secretary Interior, ex parte A. & P. R. R., Oct. 26, 1880.
 Com'r G. L. O., instructions, June 23, 1816, 2 L. I. & O. 286.
 Com'r G. L. O., circular, June 1, 1821, 2 L. I. & O. 307.
 Com'r G. L. O., circular, June 15, 1821, 2 L. I. & O. 313.
 Com'r G. L. O., circular, July 3, 1821, 2 L. I. & O. 330.
 Com'r G. L. O., circular, July 21, 1821, 2 L. I. & O. 339.
 Com'r G. L. O., instructions, Aug. 10, 1821, 2 L. I. & O. 349.
 Com'r G. L. O., circular, Aug. 17, 1821, 2 L. I. & O. 351.

FORFEITURE—Continued.

- Com'r G. L. O., circular, March 14, 1823, 2 L. I. & O. 365.
 Com'r G. L. O., circular, Oct. 25, 1823, 2 L. I. & O. 404.
 Com'r G. L. O., circular, July 28, 1823, 2 L. I. & O. 409.
 Com'r G. L. O., instructions, Sept. 22, 1828, 2 L. I. & O. 415, 418.
 Com'r G. L. O., instructions, April 9, 1829, 2 L. I. & O. 417.
 Com'r G. L. O., instructions, May 23, 1829, 2 L. I. & O. 418.
 Com'r G. L. O., *ex parte* Stirling, March 1, 1834, 2 L. I. & O. 493.
 Com'r G. L. O., *ex parte* Harbach, July 2, 1850, 1 Lester, 490.
 Com'r G. L. O., *ex parte* Sheets, Feb. 23, 1875, Copp's L. L. 387.
 Com'r G. L. O., *ex parte* Mills, Sept. 15, 1873, Copp's L. L. 417.
 Com'r G. L. O., *ex parte* L. L. & G. R. R., Oct. 8, 1874, 1 Copp's L. O. 115.
 Com'r G. L. O., *Hill v. St. P. & P. R. R.*, Aug. 19, 1875, 2 Copp's L. O. 118.
 Com'r G. L. O., *ex parte* S. & C. R. R., Dec. 29, 1875, 3 Copp's L. O. 73.
 Com'r G. L. O., *ex parte* M. & G. R. R., Nov. 25, 1868.
 Com'r G. L. O., *ex parte* P. & G. R. R., Jan. 12, 1869.
 Com'r G. L. O., *ex parte* S. R. & D. R. R., Jan. 29, 1869.
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 Com'r G. L. O., *ex parte* M. & G. R. R., Nov. 29, 1870.
 Com'r G. L. O., *ex parte* V. & M. R. R., Dec. 2, 1870.
 Com'r G. L. O., *ex parte* St. C. & L. S. R. R., April 2, 1873.
 Com'r G. L. O., *ex parte* L. L. & G. R. R., May 2, 1873.
 Com'r G. L. O., *ex parte* L. L. & G. R. R., May 5, 1873.

FORGERY—

- United States v. Reese*, 4 Saw. C. C. 629.
Sill v. Russ, 47 Cal. 295.

FRAUD—

Entry:

- Massie v. Watts*, 6 Cranch, 148.
Garland v. Wynn, 20 How. 6.
State of Minnesota v. Bachelder, 1 Wall. 109.
Bross v. Wiley, 6 Wis. 425.
Rogers v. Voss, 6 Iowa, 405.
De Land v. Day, 45 Iowa, 37.
Knox v. Pulliam, 14 La. Ann. 123.
Lytle v. State, 17 Ark. 608.
Bird v. Ward, 1 Mo. 318.
Stuart v. Rector, 1 Mo. 361.
Adams v. Lapsley, 3 Op. Att. Gen. 182.
Secretary Interior, McNider v. State Cal., Nov. 17, 1871, Copp's L. L. 327.
Secretary Interior, ex parte Warwick & Davis, May 29, 1874, Copp's L. L. 751.
Secretary Interior, ex parte Gurwell, Jan. 14, 1873, Copp's L. L. 814, 817.
Secretary Interior, ex parte Bunton, Oct. 20, 1873, Copp's L. L. 815.
Secretary Interior, ex parte Rickard, Jan. 19, 1876, 2 Copp's L. O. 103.
Secretary Interior, ex parte Guineau, Feb. 11, 1880, 7 Copp's L. O. 8.
Secretary Interior, Whitaker v. S. P. R. R., July 27, 1880, 7 Copp's L. O. 85.
 Com'r G. L. O., circular, April 25, 1873, Copp's L. L. 793.

Foreign grants:

- United States v. Larkin*, 18 How. 557.
United States v. Galbraith et al., 2 Black, 394.
United States v. Johnson, 1 Wall. 326.
United States v. Gomez, 3 Wall. 752.
United States v. Flint et al., 4 Saw. C. C. 42.
Hardy v. Harbin, 4 Saw. C. C. 536.
 Op. Att. Gen., *ex parte* De Feriot, July 28, 1838, 2 L. I. & O. 1040.

FRAUD—Continued.

Warrants:

- 1 Op. Att. Gen. 326; 2 *id.* 501; 7 *id.* 657.

Patents:

- Stringer v. Young's lessee*, 3 Pet. 320.
Stoddard v. Chambers, 2 How. 284.
Field v. Seabury, 19 How. 323.
Garland v. Wynn, 20 How. 6.
Spencer v. Lapsley, 20 How. 264.
State of Minnesota v. Bachelder, 1 Wall. 109.
Moore v. Robbins, 6 Otto, 530.
Norton v. Meader, 4 Saw. C. C. 603.
Godfrey v. Beardsley, 2 McLean, C. C. 412.
Nelson v. Moore, 3 McLean, C. C. 319.
Seabury v. Field, 1 McAllister, C. C. 60.
Lamont v. Stimson, 3 Wis. 545.
State of Minnesota v. Bachelder, 5 Minn. 223.
Arnold v. Grimes, 2 Greene (Iowa), 77.
Bisson v. Currey, 35 Iowa, 72.
Kittridge v. Breand, 4 Rob. (La.) 79.
McGill v. McGill, 4 La. Ann. 262.
Cannon v. White, 16 La. Ann. 85.
Cunningham v. Ashley, 12 Ark. 296.
Wynn v. Garland, 16 Ark. 440.
Ca man v. Johnson, 20 Mo. 84.
 1 Op. Att. Gen. 699; 2 *id.* 501.

What constitutes, and effect of:

- United States v. Arredondo*, 6 Pet. 691.
Jamison v. Doe, 4 Ills. 113.
Stanley v. McCarty, Morris (Iowa), 124.
City of Oakland v. Carpentier, 21 Cal. 642.
Hollinshead v. Simma, 51 Cal. 158.
 Op. Att. Gen., April 27, 1822, 2 L. I. & O. 160.
Secretary Interior, Collar v. Lake, Feb. 10, 1859, 1 Lester, 390.

FRENCH EMIGRANTS—

- White v. St. Guisens, Minor (Ala.)* 331.
Jenkins v. Noel, 3 Stewart (Ala.) 60.
Secretary Treasury, instructions, Nov. 10, 1817, 2 L. I. & O. 293.
Secretary Treasury, instructions, March 3, 1835, 2 L. I. & O. 606.
 Com'r G. L. O., instructions, Sept. 26, 1831, 2 L. I. & O. 455.
 Com'r G. L. O., instructions, March 27, 1833, 2 L. I. & O. 472.
 Com'r G. L. O., instructions, Aug. 22, 1833, 2 L. I. & O. 481.
 Com'r G. L. O., instructions, Oct. 14, 1833, 2 L. I. & O. 485.
 Com'r G. L. O., instructions, June 24, 1834, 2 L. I. & O. 496.
 Com'r G. L. O., instructions, March 12, 1835, 2 L. I. & O. 507.
 Com'r G. L. O., instructions, April 22, 1837, 2 L. I. & O. 535.
 Com'r G. L. O., instructions, March 18, 1837, 2 L. I. & O. 537.
 Com'r G. L. O., instructions, Oct. 8, 1831, 2 L. I. & O. 925.
 Com'r G. L. O., instructions, April 22, 1837, 2 L. I. & O. 922.

GALENA, CITY OF—

- Moorehouse v. Phelps*, 21 How. 294.
Delaney v. Burnett, 9 Ills. 454.
 Com'r G. L. O., instructions, July 18, 1836, 2 L. I. & O. 541.

GEORGETOWN, CITY OF—

- Georgetown v. Glaze*, 3 Colo. 230.
Tucker v. McCoy, 3 Colo. 284.

GRADUATION—

- Gaston v. Cannada*, 39 Mo. 357.
 7 Op. Att. Gen. 351.
Secretary Interior, instructions, Sept. 18, 1855, 1 Lester, 479.
Secretary Interior, ex parte Puckett, Jan. 17, 1857, 1 Lester, 480.
Secretary Interior, instructions, Sept. 14, 1858, 1 Lester, 481.
 Com'r G. L. O., circular, Oct. 30, 1854, 1 Lester, 466.
 Com'r G. L. O., circular, May 1, 1855, 1 Lester, 470.
 Com'r G. L. O., instructions, May 19, 1855, 1 Lester, 472.
 Com'r G. L. O., circular, Jan. 23, 1856, 1 Lester, 473.
 Com'r G. L. O., circular, April 7, 1856, 1 Lester, 475.

GRADUATION—*Continued.*

- Com'r G. L. O., circular, March 21, 1857,
1 Lester, 476.
Com'r G. L. O., instructions, Sept. 18,
1857, 1 Lester, 509; note.
Com'r G. L. O., circular, Oct. 8, 1854, 1 Les-
ter, 510.
Com'r G. L. O., State Mo. v. Davis, May 5,
1874, 1 Copp's L. O. 39.

GREEN BAY—

- Confirmation of private land claims at—*
Whitney v. Gunderson, 31 Wis. 359,
Whitney v. Nelson, 33 Wis. 365.
Whitney v. Morrow, 34 Wis. 644.
Instructions, Nov. 12, 1835, 2 L. I. & O. 617.
Com'r G. L. O., instructions, Sept. 9, 1836,
2 L. I. & O. 639.

GREENSBURG LAND DISTRICT—

- Entries in:*
Watterston v. Bennett, 18 La. Ann. 250.
Com'r G. L. O., instructions, Aug. 22,
1837, 2 L. I. & O. 1015.

Erroneous surveys in:

- Com'r G. L. O., instructions, Nov. 23, 1837, 2
L. I. & O. 99c.

HOT SPRINGS—

- Hale v. Gaines *et al.*, 22 How. 144.
Rector *et al.* v. United States, 2 Otto, 698.
Dufins v. Wassell, 1 Dillon, C. C. 213.
Gaines v. Rector, 26 Ark. 162.
Op. Att. Gen., Jan. 17, 1878.
Secretary Interior, *ex parte* Miller *et al.*,
Sept. 23, 1875, 2 Copp's L. O. 100.

ICE—

- The State v. Pottmeyer, 33 Ind. 402.
Waterworks Co. of Indianapolis *et al.* v.
Burkhart *et al.*, 41 Ind. 364.

IMPROVEMENTS—

Compensation for:

- Chinn v. Darnell, 4 McLean, C. C. 440.
Davis v. Hopkins, 15 Ills. 519.
Kellam v. Rippley, 3 Rob. (La.) 138.
Duneau v. Hall, 9 Ala. 123.
Russell v. DeFrance, 39 Mo. 506.
Krause v. Means, 12 Kans. 335.
Lernert v. Barnes, 18 Kans. 9.
Maynes v. Veale, 20 Kans. 324.
Page v. Fowler, 28 Kans. 605.
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Sale of:

- Dupas v. Wassell, 1 Dillon, C. C. 213.
Langdon v. Joy, 4 Dillon, C. C. 391.
Boston v. Dodge, 1 Blackf. (Ind.) 18.
Vest v. Weir, 4 Blackf. (Ind.) 135.
Ward v. Burr, 5 Blackf. (Ind.) 163.
Hill v. Smith, Morris (Iowa), 70.
Freeman v. Holliday, Morris (Iowa), 80.
Bowman v. Torr, 3 Iowa, 571.
Spry v. Sleppy, 15 Iowa, 409.
Noulen v. Perkins, 3 Rob. (La.) 233.
Jenkins v. Gibson, 3 La. Ann. 203.
Hollon v. Sapp, 4 La. Ann. 519.
Bryan v. Glass, 6 La. Ann. 740.
Shaw v. Boyd, 1 Stew. & Port. (Ala.) 83.
McFarland v. Mathis, 10 Ark. 560.
Cain v. Leslie, 15 Ark. 312.
Clark v. Shultz, 4 Mo. 235.
Sanford v. Justice, 9 Mo. 865.
Stubblefield v. Branson, 20 Mo. 301.
Welch v. Bryan, 28 Mo. 30.
Bell v. Parks, 18 Kans. 152.
Lapham v. Hend, 21 Kans. 302.
Secretary Interior, Gaberel v. Guerne *et al.*,
March 19, 1880, 7 Copp's L. O. 37.

Status of, as property:

- French v. Carr, 7 Ills. 664.
Attridge v. Billings, 47 Ills. 490.
Pierson v. David, 1 Iowa, 24.
Rhea *et al.* v. Hughes, 1 Ala. 219.
Pelham v. Wilson, 4 Ark. 289.
Floyd v. Ricks, 14 Ark. 286.
Gaines & Rector v. Hale, 26 Ark. 168.
Michel v. Williams, 5 Mo. 335.
Hatfield v. Wallace, 7 Mo. 112.
Comm'rs, &c., v. Shipman, 14 Kans. 532.
Haas v. Misner, 1 Idaho, 203.
Gillan v. Hutchinson, 16 Cal. 154.
The People v. Morrison, 23 Cal. 73.
Hicks v. Whiteside, 23 Cal. 404.

IMPROVEMENTS—*Continued.**Status of, as property:*

- People v. Shearer, 30 Cal. 645.
Collins v. Bartlett, 44 Cal. 371.
West v. Smith, 52 Cal. 322.

What constitutes, and effect of:

- Stark v. Starr, 1 Saw. C. C. 15.
Bowman v. Torr, 3 Iowa, 571.
Rogers v. Voss, 6 Iowa, 405.
Givens v. Decatur Co., 9 Iowa, 278.
Wilson v. McLernan, 30 Iowa, 30.
Walker v. Stone, 48 Iowa, 92.
Lawrence v. Grout, 12 La. Ann. 835.
Com'r G. L. O., Faught v. Espy, Nov. 4,
1868, Zab. L. L. 90.
Com'r G. L. O., *ex parte* Mead, June 4, 1880,
7 Copp's L. O. 81.

INDIAN TERRITORY—

INDIAN TREATIES, RESERVATIONS, AND
TITLES—

- Fletcher v. Peck, 6 Cranch, 87.
New Jersey v. Wilson, 7 Cranch 164.
Preston v. Browder, 1 Wheat. 115.
Danforth's lessee v. Thompson, 1 Wheat.
155.
Danforth v. Wear, 9 Wheat. 673.
Mitchell v. United States, 9 Pet. 711.
United States v. Fernandez *et al.*, 10 Pet.
303.
Clark v. Smith, 13 Pet. 195.
Lattimer v. Poteet, 14 Pet. 4.
Marsh v. Brooks, 8 How. 223.
United States v. Rillieux's heirs, 14 How.
1c9.
Chouteau v. Molony, 16 How. 203.
Minter v. Crommelin, 18 How. 87.
Crows *et al.* v. Burchman, 1 Black, 352.
Best v. Polk, 18 Wall. 112.
United States v. Cook, 19 Wall. 591.
L. L. & G. R. R. Co. v. United States, 2 Otto,
733.
Landford v. Monteith, U. S. Sup. Ct., Oct.
Term, 1879 (unreported).
Godfrey v. Beardsley, 2 McLean, C. C. 413.
Lowrey v. Weaver, 4 McLean, C. C. 82.
Chinn v. Darnell, 4 McLean, C. C. 440.
Jackson v. Porter, 1 Paine, C. C. 457.
United States v. Searl, 1 Woolw. C. C. 192.
Swope v. Purdy, 1 Dillon, C. C. 349.
Russell v. Beebe, 1 Hemp. C. C. 704.
Harris v. Doe, 4 Blackf. (Ind.) 369.
Veeder v. Guffy, 3 Wis. 446.
Quinney v. Town of Stockbridge, 33 Wis.
505.
Ballou v. O'Brien, 20 Mich. 304.
Seyford v. Harney, 19 Greene (Iowa), 575.
Haight v. City of Keokuk, 4 Iowa, 405.
Blue Jacket v. Commissioners, &c., 3 Kans.
299.
Swartzel v. Rogers, 3 Kans. 374.
Vickroy v. Pratt, 7 Kans. 238.
Wood v. M. K. & T. R. R. Co., 11 Kans. 323.
Miami Co. v. Breckenridge, 12 Kans. 114.
Breux v. Johns, 4 La. Ann. 141.
Tillman v. Long *et al.*, 29 Ala. 376.
Gaines v. Hale, 26 Ark. 168.
Suñol v. Hepburn, 1 Cal. 254.
Parker v. Duff, 47 Cal. 554.
Lobdell v. Hall, 3 Nev. 507.
1 Op. Att. Gen. 468; 2 *id.* 631; 3 *id.* 697;
4 *id.* 613; 5 *id.* 305, 572; 6 *id.* 462, 627; 7
id. 293, 746; 8 *id.* 235; 11 *id.* 171; 12 *id.*
51; 13 *id.* 470; 14 *id.* 181, 568, 666; Jan.
21, 1880.
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1 Lester, 638.
Secretary Interior, instructions, May 23,
1859, 1 Lester, 633.
Secretary Interior, instructions, June 30,
1859, 1 Lester, 636.
Secretary Interior, circular, Dec. 19, 1859,
1 Lester, 636.
Secretary Interior, instructions, May 24,
1859, 1 Lester, 634.
Secretary Interior, instructions, June 14,
1859, 1 Lester, 635.
Secretary Interior, Case v. Larkin, Feb. 3,
1876, 2 Copp's L. O. 182.

INDIAN TREATIES, RESERVATIONS, AND TITLES—*Continued.*

Secretary Interior, *Hogland v. N. P. R. R.*, Aug. 14, 1878, 5 Copp's L. O. 107.
Com'r G. L. O., instructions, April 27, 1832, 2 L. I. & O. 461.
Com'r G. L. O., instructions, Feb. 10, 1837, 2 L. I. & O. 625.
Com. G. L. O., instructions, Nov. 4, 1857, 1 Lester, 625.
Com'r G. L. O., March 19, 1857, 1 Lester, 688.
Com'r G. L. O., Nov. 16, 1854, 1 Lester, 728.
Com'r G. L. O., instructions, June 10, 1874, Copp's L. L. 311.
Com'r G. L. O., *C. P. R. R. v. Nevada*, Jan. 15, 1873, Copp's L. L. 424.
Com'r G. L. O., instructions, July 18, 1874, Copp's L. L. 720.
Com'r G. L. O., *ex parte Eada*, Sept. 24, 1875, 2 Copp's L. O. 101.
Com'r G. L. O., circular, March 18, 1875, 2 Copp's L. O. 30.
Com'r G. L. O., instructions, Feb. 5, 1878, 5 Copp's L. O. 52.

Oaddos :

United States v. Brooks, 10 How. 442.

Cherokees :

Meigs v. McClung, 9 Cranch, 11.
Cherokee Nation v. Georgia, 5 Pet. 1.
Worcester v. Georgia, 6 Pet. 515.
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The Kansas Indians, 5 Wall. 737.
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Langdon v. Joy, 4 Dillon, C. C. 391.
Strand v. M. & C. R. R. Co., 4 Dillon, C. C. 396.
Moreland v. McCartney's heirs, 4 Port. (Ala.) 141.
Cunningham v. Ashley, 12 Ark. 296.
Cunningham v. Ashley, 13 Ark. 653.
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Gaines & Rector v. Hale, 26 Ark. 168.
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Secretary Treasury, *ex parte Laughlin*, July 6, 1869, Zab. L. L. 750.
Secretary Interior, *Powell v. Beatty*, Sept. 8, 1875, 2 Copp's L. O. 115.
Com'r G. L. O., circular, Aug. 7, 1872, Copp's L. L. 115.

Chickasaws :

Best v. Polk, 18 Wall. 112.
Lewis v. Love et al., 1 Ala. 335.
3 Op. Att. Gen. 34, 41, 49, 591; 5 *id.* 226, 232; 7 *id.* 142; 2 L. I. & O. 214.
Secretary Treasury, instructions, Oct. 25, 1808, 2 L. I. & O. 272, 273.
Com'r G. L. O., instructions, April 20, 1833, 2 L. I. & O. 945.
Com'r G. L. O., instructions, April 28, 1833, 2 L. I. & O. 948.
Com'r G. L. O., instructions, July 27, 1831, 1 Lester, 913.
Com'r G. L. O., instructions, March 22, 1833, 1 Lester, 929.

Chippewas, treaty at Saginaw :

Stockton v. Williams, 1 Doug. (Mich.) 546.
Stockton v. Williams, Walker's Chan. Rep. (Mich.) 120.
Deury v. Campbell, 4 Mich. 565.
Chapan v. Dewry, 9 Mich. 341.
Raymond v. Shawhorse, 34 Mich. 142.
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Secretary Interior, *ex parte Waisley*, Apr. 11, 1866, 1 Lester, 630.
Secretary Interior, *ex parte Bright*, Nov. 6, 1858, 1 Lester, 631.
Secretary Interior, instructions, April 13, 1859, 1 Lester, 632.

INDIAN TREATIES, RESERVATIONS, AND TITLES—*Continued.**Chippewas, treaty at Saginaw :*

Com'r G. L. O., circular, March 15, 1873, Copp's L. L. 707.
Com'r G. L. O., circular, July 5, 1872, Copp's L. L. 709.
Com'r G. L. O., circular, March 18, 1875, Copp's L. L. 710.

Ojibwas :

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Secretary Treasury, instructions, Oct. 16, 1824, 2 L. I. & O. 505.
Secretary War, instructions, Oct. 11, 1834, 2 L. I. & O. 506.
Com'r G. L. O., instructions, June 28, 1824, 2 L. I. & O. 340.
Com'r G. L. O., instructions, March 13, 1826, 2 L. I. & O. 293.
Com'r G. L. O., instructions, July 4, 1836, 2 L. I. & O. 520.
Com'r G. L. O., instructions, Jan. 27, 1836, 2 L. I. & O. 516.
Com'r G. L. O., circular, 2 L. I. & O. 434.
Com'r G. L. O., instructions, Sept. 10, 1833, 2 L. I. & O. 483.
Com'r G. L. O., instructions, Sept. 30, 1833, 2 L. I. & O. 484.
Com'r G. L. O., instructions, April 7, 1837, 2 L. I. & O. 535.
Com'r G. L. O., circular, Aug. 4, 1833, 2 L. I. & O. 1033.
Com'r G. L. O., circular, June 7, 1847, 1 Lester, 625.
Com'r G. L. O., instructions, July 27, 1831, 1 Lester, 913.
Com'r G. L. O., instructions, March 22, 1832, 1 Lester, 929.
Com'r G. L. O., instructions, Oct. 24, 1831, 1 Lester, 925.

Creeks :

Minter v. Crommelin et al., 18 How. 87.
Chinnabee v. Nix et al., 3 Port. (Ala.) 362.
Herring v. McEldery, 5 Port. (Ala.) 161.
Jones' heirs v. Inge's heirs, 5 Port. (Ala.) 327.
Clarillo v. Elliot, 5 Port. (Ala.) 403.
Tipps v. McGehee et al., 5 Port. (Ala.) 413.
Rosser v. Bradford, 9 Port. (Ala.) 354.
Rowland v. Ladigo, 9 Port. (Ala.) 488.
Johnson v. McGehee et al., 1 Ala. 166.
James v. Scott, 9 Ala. 579.
Crommelin v. Minter et al., 9 Ala. 594.
Rains v. Ware & Warner, 10 Ala. 623.
Wells v. Thompson, 13 Ala. 793.
Corpreu v. Arthur, 15 Ala. 545.
Hoden v. Wall, 15 Ala. 149.
Nolen et al. v. Heirs of Gwyn, 16 Ala. 725.
Stephens v. Westwood, 20 Ala. 275.
Rowland et al. v. Ladigo's heirs, 21 Ala. 9.
Long v. McDougald's adm'r, 23 Ala. 413.
Stephens v. Westwood, 25 Ala. 716.
2 Op. Att. Gen. 110, 574, 696; 3 *id.* 40, 230, 238, 250, 268, 309, 578, 585; 5 *id.* 46, 79, 98; 2 L. I. & O. 73, 195, 208.
Com'r G. L. O., instructions, Nov. 23, 1835, 2 L. I. & O. 511.
Com'r G. L. O., instructions, Dec. 28, 1815, 2 L. I. & O. 810.

Delawares :

United States v. Stone, 2 Wall. 525.
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Foxes :

Chouteau v. Molony, 16 How. 203.
Com'r G. L. O., instructions, Nov. 16, 1837, 2 L. I. & O. 977.

Illinois and Piankeshaws :

Johnson et al. v. McIntosh, 8 Wheat. 543.

Kansas :

Stephen v. Smith, 2 Kans. 243.
Brown v. Belwardre, 3 Kans. 41.
6 Op. Att. Gen. 653; 9 *id.* 110; 10 *id.* 507.
Com'r G. L. O., circular, Aug. 15, 1874, Copp's L. L. 713.
Com'r G. L. O., circular, Oct. 2, 1874, Copp's L. L. 719.

INDIAN TREATIES, RESERVATIONS, AND
TITLES—Continued.*Kansas :*

Com'r G. L. O., instructions, Aug. 15, 1874,
1 Copp's L. O. 107.

Kickapoos :

Parker v. Winsor, 5 Kans. 362.
C. B. R. R. Co. v. Wilcox, 14 Kans. 259.
Op. Att. Gen., Jan. 21, 1880.

Menomonees :

Beecher v. Wetherby, 5 Otto, 517.
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Miamis :

Mungosah v. Steinbrook, 3 Dillon, C. C. 418.
Peck v. Miami Co., 4 Dillon, C. C. 370.
Longlois v. Coffin, 1 Ind. 446.
Commissioners, &c., v. Wau-zop-pe-che, 3
Kans. 364.
Miami Co. v. Breckenridge, 12 Kans. 114.
2 Op. Att. Gen. 563; 4 id. 529; 6 id. 440; 11
id. 384; 12 id. 236; 2 L. I. & O. 200.

Osages :

L. L. & G. R. R. Co. v. United States, 2
Otto, 733.
Foster v. Bust, 11 Kans. 350.
Wood v. M. K. & T. R. R. Co., 11 Kans.
323.
Lownsberry v. Bakerstraw, 14 Kans. 151.
L. L. & G. R. R. Co. v. Coffin, 16 Kans. 510.
Broke v. Ballou, 19 Kans. 397.
Secretary Interior, *ex parte* Noble, Feb.
23, 1872, Copp's L. L. 700.
Secretary Interior, Jan. 26, 1872, Copp's L.
L. 700.
Secretary Interior, *ex parte* Falls, March
9, 1872, Copp's L. L. 704.
Secretary Interior, Wheeler v. R. R. Co.,
March 27, 1873, Copp's L. L. 704.
Secretary Interior, instructions, Jan. 24,
1877, 3 Copp's L. O. 179.
Secretary Interior, Stoue v. Gillard, June
5, 1879, 6 Copp's L. O. 128.
Com'r G. L. O., instructions, April 26, 1871,
Copp's L. L. 700.
Com'r G. L. O., instructions, March 17,
1873, 1 Copp's L. O. 163.
Com'r G. L. O., instructions, June 21, 1875,
2 Copp's L. O. 51.
Com'r G. L. O., instructions, Oct. 26, 1876,
3 Copp's L. O. 120.
Com'r G. L. O., instructions, March 28,
1877, 4 Copp's L. O. 43.
Com'r G. L. O., instructions, April 14, 1877,
4 Copp's L. O. 44.

Ottawas, Chippewas, and Pottawatomies :

Doe v. Wilson, 23 How. 457.
Steeple v. Downing, 60 Ind. 478.
Clark v. Libby, 14 Kans. 439.
Clark v. Akers, 16 Kans. 166.
Oliver v. Forbes, 17 Kans. 113.
Campbell v. Parmore, 17 Kans. 639.
Maynes v. Veale, 20 Kans. 324.
Clark v. Ford, 20 Kans. 390.
2 Op. Att. Gen. 562, 568; 3 id. 35, 55, 209; 4
id. 529; 5 id. 225; 6 id. 49.

Pottawatomies :

Op. Att. Gen. Sept. 20, 1853, 2 L. I. & O. 69.
Secretary Treasury instructions, Nov. 12,
1835, 2 L. I. & O. 511.
Com'r G. L. O., instructions, April 15, 1835,
2 L. I. & O. 959.
Com'r G. L. O., instructions, Aug. 5, 1835,
2 L. I. & O. 961.
Com'r G. L. O., instructions, Nov. 14, 1835,
2 L. I. & O. 962.
Com'r G. L. O., instructions, Nov. 30, 1835,
2 L. I. & O. 512.
Com'r G. L. O., instructions, April 10, 1833,
2 L. I. & O. 942.

Quapaws :

3 Op. Att. Gen. 106.

Sacs and Foxes :

Webster v. Reid, Morris (Iowa), 466.
Wright v. Marsh, 2 Greene (Iowa), 94.
Pennock v. Monroe, 5 Kans. 578.
Kansas v. Harold, 9 Kans. 194.
Franklin County v. Pennock, 18 Kans. 579.
Com'r G. L. O., instructions, March 6, 1837,
2 L. I. & O. 977.

INDIAN TREATIES, RESERVATIONS, AND
TITLES—Continued.*Senecas :*

1 Op. Att. Gen. 465; 3 id. 624.

Shawnees :

Walker v. Henshaw, 16 Wall. 436.
Ex parte Forbes & Pucket, 1 Dillon, C. C.
369.
Blue Jacket v. Commissioners, &c., 3 Kans.
299.

11 Op. Att. Gen. 145.

Shawnees, Weas, and Miamis :

The Kansas Indians, 5 Wall. 737.
Smith v. Stevens, 10 Wall. 521.
10 Op. Att. Gen. 253.
Secretary Interior, instructions, Dec. 20,
1858, 1 Lester, 632.

Stockbridges :

Beecher v. Wetherby, 5 Otto, 517.
Quinney v. Denney, 18 Wis. 485.
Ruggles v. Marsillot, 19 Wis. 159.
Farrington v. Wilson, 29 Wis. 383.
Quinney v. Denney, 28 Wis. 510.

Winnebagoes :

Farrington v. Wilson, 29 Wis. 383.

Wyandotts :

Walker v. Henshaw, 16 Wall. 436.
Gray v. Coffman, 3 Dillon, C. C. 393.
Hicks v. Butrick, 3 Dillon, C. C. 413.
Summers v. Spybuck, 1 Kans. 394.
Walker v. Armstrong, 2 Kans. 198.
McAlpin v. Henshaw, 6 Kans. 176.
Frederick v. Gray, 12 Kans. 518.
3 Op. Att. Gen. 458; 6 id. 2; 9 id. 44; 11 id.
197.

INTERNAL IMPROVEMENT GRANT—

Confirmatory legislation :

Huff v. Doyle *et al.*, 3 Otto, 558.
Toland v. Mandell, 33 Cal. 30.
Hodapp v. Sharp, 40 Cal. 69.
Huff v. Doyle, 50 Cal. 16.

Effectment under :

Galup v. Armstrong, 22 Cal. 480.
Athearn v. Poppe, 25 Cal. 632.
Smith v. Athearn, 34 Cal. 506.
Toland v. Mandell, 38 Cal. 30.
Hodapp v. Sharp, 40 Cal. 69.

Selections, manner of, and what subject to :

Shepley *et al.* v. Cowan *et al.*, 1 Otto, 330.
Copeley v. Dinkgrave, 27 La. Ann. 601.
Nims v. Johnson, 7 Cal. 111.
Doll v. Meador, 16 Cal. 296.
Van Vulkenburg v. McCloud, 21 Cal. 330.
Dolhequi v. Tabor, 22 Cal. 279.
Terry v. Megerle, 24 Cal. 609.
Athearn v. Poppe, 25 Cal. 632.
Smith v. Athearn, 34 Cal. 506.
Rush v. Corey, 39 Cal. 339.
McGrady v. Hastings, 39 Cal. 360.
Farish v. Coon, 40 Cal. 33.
Fisher v. Croon, 40 Cal. 31.
Hastings v. Devlin, 40 Cal. 358.
Collins v. Bartlett, 41 Cal. 371.
Hastings v. Jackson, 46 Cal. 234.
Huff v. Doyle, 50 Cal. 16.
4 Op. Att. Gen. 71.
Op. Att. Gen., Faust v. Taylor, July 23,
1856, 1 Lester, 445.
Secretary Interior, Vester v. Dinkgrave,
March 31, 1859, 1 Lester, 451.
Secretary Interior, *ex parte* Stewart, Nov.
10, 1856, 1 Lester, 507.
Secretary Interior, June 21, 1856, 1 Lester,
555.
Secretary Interior, Florida, April 20, 1856,
1 Lester, 568.
Secretary Interior, *ex parte* Brown, Sept.
18, 1872, Copp's L. L. 446.
Secretary Interior, White v. University
Cal., Jan. 10, 1878, 4 Copp's L. O. 182.
Com'r G. L. O., circular, Feb. 21, 1846, 1
Lester, 500.
Com'r G. L. O., circular, Aug. 6, 1847, 1
Lester, 501.
Com'r G. L. O., circular, Aug. 6, 1847, Zab.
L. L. 397.
State legislation :
Perrine v. Griffith, 13 Iowa, 151.
Nims v. Palmer, 6 Cal. 2.

INTERNAL IMPROVEMENT GRANT — *Continued.**State legislation:*

Watson v. Robey, 8 Cal. 52.
 Doll v. Mendor, 16 Cal. 296.
 Mott v. Hawthorn, 17 Cal. 59.
 Ah Yew v. Choate, 24 Cal. 562.
 Bludworth v. Lake, 33 Cal. 255.
 Walley v. Foreman, 38 Cal. 90.
 Stewart v. Haight, 39 Cal. 87.
 Chapman v. Buckman, 39 Cal. 674.
 Fisher v. Coon, 40 Cal. 34.

Takes effect, when:

Foley v. Harrison, 15 How. 423.
 Shepley et al. v. Cowan et al., 1 Otto, 330.
 Wolsey v. Chapman, 11 Otto, 755.
 Patterson v. Tatum, 3 Saw. C. C. 164.
 Wiggins v. Guier, 13 La. Ann. 356.
 Ludeling v. Vester, 20 La. Ann. 433.
 Doll v. Mendor, 16 Cal. 296.
 Rhodes v. Craig, 21 Cal. 419.
 Megerle v. Ashe, 27 Cal. 322.
 Bludworth v. Lake, 33 Cal. 255.

INTRUDERS AND TRESPASSERS—

Atberton v. Fowler, 6 Otto, 513.
 Hosmer v. Wallace, 7 Otto, 575.
 Trenouth v. San Francisco, 10 Otto, 251.
 Boyreau v. Campbell, 1 McAllister, C. C. 129.
 Boris v. James, 7 Rob. (La.) 149.
 Keller v. Bellaudeau, 6 La. Ann. 643.
 Cunningham v. Ashley, 12 Ark. 296.
 Floyd v. Ricks, 14 Ark. 286.
 Gale v. Davis, 7 Mo. 544.
 Kennett v. Plummer, 28 Mo. 142.
 United States v. De Coursey, 1 Pinney (Wis.) 508.
 Wood v. M. K. & T. R. R. Co., 11 Kansas, 332.

Treadway v. Sharon, 7 Nev. 27.
 O'Conner v. Corbitt, 3 Cal. 370.
 Bridge v. Underwood, 6 Cal. 45.
 Merced Mfg. Co. v. Fremont, 7 Cal. 317.
 Taylor v. Woodward, 10 Cal. 90.
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 Com'r G. L. O., instructions, September 8, 1818, 2 L. I. & O. 295.
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 Com'r G. L. O., Kelsker v. Johnson et al., April 6, 1874, Copp's L. L. 319.
 Com'r G. L. O., circular, July 1, 1879, 6 Copp's L. O. 92.
 Com'r G. L. O., ex parte Koffin, July 29, 1880, 7 Copp's L. O. 87.

ISLANDS—

Middleton v. Pritchard, 4 Illa. 510.
 Stolp v. Hoyt, 44 Illa. 19.
 McMauna v. Carmichael, 3 Iowa, 11.
 Adams v. City of St. Louis, 32 Mo. 25.
 Benson v. Morrow, 61 Mo. 345.
 People v. Batchelder, 27 Cal. 70.
 Shoemaker v. Hatch, 13 Nev. 261.
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 Secretary Interior, Goat Island, July 3, 1872, Copp's L. L. 563.
 Com'r G. L. O., Rock Island, April 8, 1835, 2 L. I. & O. 390.
 Com'r G. L. O., Dauphin Island, Aug. 16, 1824, 2 L. I. & O. 842.

ISLANDS—*Continued.*

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JOINT ENTRIES—

Downes v. Scott, 3 Rob. (La.) 84.
 Secretary Interior, Laughton v. Cadwell, Jan. 8, 1858, 1 Lester, 357.
 Secretary Interior, Roosa v. Schepp, Sept. 22, 1859, 1 Lester, 393.
 Secretary Interior, Powell v. Beatty, Sept. 8, 1875, 2 Copp's L. O. 115.
 Secretary Interior, O'Leary v. Zollars, May 8, 1860, 7 Copp's L. O. 38.
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JUDICIAL NOTICE—

United States v. Turner, 11 How. 663.
 Dickenson v. Breeden, 30 Illa. 279.
 United States v. De Coursey, 1 Pinney (Wis.) 508.
 Bullock v. Wilson, 5 Port. (Ala.) 338.
 Lamb v. Davenport, 1 Saw. C. C. 609.
 Ott v. Souland, 9 Mo. 581.
 Papin v. Ryan, 32 Mo. 21.
 Sullivan v. Heuse, 2 Colo. 427.
 Semple v. Hagar, 27 Cal. 163.
 Vassault v. Seitz, 31 Cal. 226.
 Ellis v. Eastman, 32 Cal. 447.

JURISDICTION—

Between Federal and State courts:

Mackay v. Dillon, 4 How. 421.
 Almonester v. Kenton, 9 How. 1.
 Doe v. City of Mobile, 9 How. 451.
 Fenn v. Holme, 21 How. 481.
 Maguire v. Tyler et al., 1 Black, 195.
 Maguire v. Tyler, 8 Wall. 650.
 Ex parte Forbes & Pickett, 1 Dillon, C. C. 369.
 Ex parte Hebard, 4 Dillon, C. C. 380.
 Pontalla v. Copeland, 3 La. Ann. 56.
 Purvis v. Harmanson, 4 La. Ann. 421.
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 Leander v. Kidder, 23 Illa. 49.
 Clark v. Livingston Co., 24 Illa. 372.
 Perry v. O'Haulon, 11 Mo. 373.
 Athearn v. Poppe, 25 Cal. 632.

Between the courts, and the executive:

Garland v. Wynn, 20 How. 6.
 Irvine v. Marshall, 20 How. 558.
 Ballance v. Forsyth, 24 How. 123.
 The Secretary v. McGarrahan, 9 Wall. 298.
 Johnson v. Towsley, 13 Wall. 72.
 Shepley v. Cowan, 1 Otto, 330.
 Marquez v. Frisbie, 11 Otto, 473.
 United States v. Flint, 4 Saw. C. C. 42.
 United States v. M. & St. P. R. R., 5 Bissell, C. C. 410.
 Litchfield v. Register & Receiver, 1 Woolw. C. C. 299.
 Avery v. Fox, 1 Abbott, (U. S.) 246.
 Terrill v. Chambers, 6 Rob. (La.) 243.
 Jones v. Whalis, 4 La. Ann. 541.
 Sandoz v. Ozanne, 13 La. Ann. 616.
 Ford v. Moraney, 14 La. Ann. 77.
 Marks v. Martin, 27 La. Ann. 527.
 Mitchell v. Cobb, 13 Ala. 137.
 Brewer v. Kidd, 23 Mich. 440.
 Sutherland v. The Governor, 29 Mich. 320.
 Lamont v. Stimson, 3 Wis. 545.
 Minnesota v. Bachelder, 5 Minn. 223.
 Fremont Co. v. B. & M. R. R. Co., 22 Iowa, 91.
 Lewis v. Lewis, 9 Mo. 183.
 Ott v. Souland, 9 Mo. 581.

JURISDICTION—Continued.

Between the courts, and the executive :

Heill v. Miller, 36 Mo. 182.
 Gaston v. Cannada, 39 Mo. 357.
 Morton v. Green, 2 Neb. 441.
 Colwell v. Smith, 1 Wash. Ty. 109.
 Quinn v. Kenyon, 35 Cal. 499.
 Berry v. Cammet, 44 Cal. 347.
 Hess v. Bolinger, 50 Cal. 80.
 Keemer v. Doherty, 51 Cal. 3.
 Powers v. Leith, 53 Cal. 711.
 Golden Fleece Co. v. Cable Co., 12 Nev. 312.
 Secretary Interior, Rancho Arroyo Chico,
 March 19, 1860, Copp's L. L. 563.
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 Merced, May 19, 1869.
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 19, 1870.
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 Fernando, Jan. 24, 1873.
 Com'r G. L. O., Rancho Bolsa de Escorpi-
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 Com'r G. L. O., Rancho Posolmi, Dec. 4,
 1875.
 Com'r G. L. O., Rancho San Antonio, Feb. 7,
 1877.

Equitable, affecting land :

Bodley v. Taylor, 5 Cranch, 191.
 Massee v. Watts, 6 Cranch, 148.
 Meader v. Norton, 11 Wall. 412.
 Johnson v. Towseley, 13 Wall. 72.
 Marquez v. Frisbie, 11 Otto, 473.
 Hall v. Russell, 3 Saw. C. C. 506.
 Hardy v. Harbin, 4 Saw. C. C. 536.
 Seabury v. Fields, 1 McAllister, C. C. 60.
 Kitteridge v. Berand, 4 Rob. (La.) 79.
 Ford v. Moraney, 14 La. Ann. 77.
 Lamont v. Stimson, 3 Wis. 545.
 Minnesota v. Bachelder, 5 Minn. 223.
 Arnold v. Grimes, 2 Greeno (Iowa), 77.
 Stephenson v. Smith, 7 Mo. 610.

In case of mandamus :

McClung v. Silliman, 2 Wheat. 369.
 McClung v. Silliman, 6 Wheat. 598.
 The Secretary v. McGarraban, 9 Wall. 298.
 Powell v. Chappell, 7 Martin (La.) 172.
 Smithe v. Mosely, 31 Ark. 425.

Land Office :

Foley v. Harrison, 15 How. 433.
 Magwire v. Tyler et al., 1 Black, 195.
 Bissell v. Henshaw, 1 Saw. C. C. 533.
 Le Roy v. Clayton, 2 Saw. C. C. 493.
 Kellum v. Rippley, 3 Rob. (La.) 138.
 Dart v. Prudhomme, 3 Rob. (La.) 293.
 Courtney v. Parkins, 5 La. Ann. 216.
 Franklin v. Woodland, 14 La. Ann. 188.
 Finley v. Woodruff, 8 Ark. 328.
 Cunningham v. Ashley, 12 Ark. 296.
 Warren v. Van Brunt, 12 Minn. 70.
 Heill v. Miller, 36 Mo. 182.
 Gaston v. Cannada, 39 Mo. 357.
 Lounsberry v. Bakerstraw, 14 Kans. 151.
 Smiley v. Sampson, 1 Neb. 56.
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 614.
 Com'r G. L. O., circular, Aug. 11, 1858, 1 Les-
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 L. L. 264.
 Com'r G. L. O., ex parte Wedge, July 14,
 1873, Copp's L. L. 517.
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 L. L. 646.

Navigable waters :

Williams v. Bradley, 2 Ind. 591.
 Depew v. Board of Trustees, &c., 5 Ind. 8.
 Butler v. State, 6 Ind. 165.
 Neaderhouser v. State, 28 Ind. 257.
 People v. Tyler, 7 Mich. 160.
 Com'r G. L. O., ex parte Taylor et al., Nov.
 5, 1874, 1 Copp's L. O. 155.

Of commissioners, in private land claims :

United States v. Clarke, 8 Pet. 436.
 United States v. Fossatt, 21 How. 445.
 Lynch v. Bernal, 9 Wall. 315.
 Bernal v. Lynch, 36 Cal. 135.
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 24, 1873, Copp's L. L. 569.

JURISDICTION—Continued.

Of commissioners, in private land claims :

Secretary Interior, Rancho El Cajon, March
 15, 1872, Copp's L. L. 559.
 Secretary Interior, July 3, 1872, Copp's
 L. L. 563.
 Secretary Interior, Rancho Los Trigos, Dec.
 5, 1874, Copp's L. L. 611.
 Secretary Interior, Vigil & St. Vrain grant,
 Jan. 23, 1875, Copp's L. L. 612.
 Secretary Interior, Vigil & St. Vrain grant,
 Oct. 27, 1874, 1 Copp's L. O. 122.
 Secretary Interior, Vigil & St. Vrain grant,
 Jan. 23, 1874, 1 Copp's L. O. 165.
 Secretary Interior, Hardee v. United States
 April 8, 1878, 5 Copp's L. O. 102.
 Secretary Interior, Rancho Miguelito,
 March 17, 1874.
 Secretary Interior, Rancho Napa, Sept. 20,
 1879.
 Com'r G. L. O., Rancho Najalayegua, Sept.
 18, 1874, Copp's L. L. 591.
 Com'r G. L. O., ex-Mission San Fernando,
 Jan. 24, 1873.
 Com'r G. L. O., Rancho Posolmi, Dec. 4,
 1875.
 Com'r G. L. O., Rancho Agua Caliente,
 Feb. 21, 1878.
 Com'r G. L. O., Rancho Cabeza de Santa
 Rosa, Dec. 2, 1878.
 Com'r G. L. O., Rancho Napa, April 21,
 1879.

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 United States v. Marvinne, 3 How. 620.
 Hickey's lessee v. Stewart, 3 How. 750.
 Mackay v. Dillon, 4 How. 421.
 United States v. Powers's Heirs, 11 How.
 570.
 United States v. Heirs of Rillieux, 14 How.
 189.
 United States v. Gusman, 14 How. 193.
 United States v. Davenport's heirs, 15
 How. 1.
 Burgess v. Gray, 16 How. 48.
 Fremont v. United States, 17 How. 542.
 United States v. Sepulveda, 1 Wall. 104.
 United States v. Morillo, 1 Wall. 707.
 The Fossatt Case, 2 Wall. 649.
 Tameling v. U. S. F. L. & E. Co., 3 Otto, 644.
 United States v. Throckmorton, 8 Otto, 61.
 Carr v. United States, 8 Otto, 433.
 United States v. Clamorgan, 11 Otto, 822.
 Bissell v. Henshaw, 1 Saw. C. C. 53.
 United States v. Castro, 5 Saw. C. C. 625.
 Yturvide v. United States, 1 Hoff. L. Cas.
 273.
 Vallejo v. Clark, 3 Cal. 17.
 Nuns v. Palmer, 6 Cal. 8.
 People v. Kelly, 35 Cal. 145.
 Umbarger v. Chaboya, 49 Cal. 525.
 Secretary Interior, July 3, 1872, Copp's L.
 L. 563.
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 March 19, 1860.
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 Merced, May 19, 1869.
 Secretary Interior, Rancho Choular, March
 19, 1870.
 Secretary Interior, Rancho Las Bolsas, Feb.
 25, 1876.
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 15, 1877.
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 Feb. 7, 1877.
 Secretary Interior, Rancho Napa, Sept. 20,
 1879.
 Com'r G. L. O., Rancho Las Animas, Oct.
 3, 1873, Copp's L. L. 574.
 Com'r G. L. O., Rancho San Antonio, Jan.
 23, 1877, 3 Copp's L. O. 199.
 Com'r G. L. O., Rancho ex-Mission San Fer-
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 Com'r G. L. O., Rancho Posolmi, Dec. 4,
 1875.
 Com'r G. L. O., Rancho Cabeza de Santa
 Rosa, Dec. 2, 1878.
 Com'r G. L. O., Rancho Napa, April 21,
 1879.

KASKASKIA DISTRICT—*Confirmed claims in :*

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 Secretary Treasury, instructions, May 7, 1810, 2 L. I. & O. 699.
 Secretary Treasury, instructions, May 14, 1810, 2 L. I. & O. 700.
 Secretary Treasury, instructions, May 23, 1810, 2 L. I. & O. 702.
 Com'r G. L. O., instructions, July 5, 1814, 2 L. I. & O. 708.

LEAD MINES—

- United States v. Gear, 3 Pet. 120.
 Delassus v. United States 9 Pet. 117.
 United States v. Gratiot, 14 Pet. 526.
 United States v. Gratiot, 1 McLean, C. C. 454.
 United States v. Gear, 3 McLean, C. C. 571.
 Lorimer v. Lewis, Morris (Iowa), 253.
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 Com'r G. L. O., instructions, Aug. 23, 1834, 2 L. I. & O. 502.
 Com'r G. L. O., instructions, July 29, 1835, 2 L. I. & O. 508.
 Com'r G. L. O., circular, July 3, 1816, 2 L. I. & O. 815.

LIMITATIONS, STATUTE OF—*Foreign grants, time for asserting :*

- Strother v. Lucas, 12 Pet. 410.
 Gibson v. Choteau, 13 Wall. 92.
 Palmer v. Low, 8 Otto, 1.
 Montgomery v. Bevans, 1 Saw. C. C. 653.
 Palmer v. Low, 2 Saw. C. C. 248.
 Harris v. McGovern, 2 Saw. C. C. 515.
 Le Roy v. Carroll, 3 Saw. C. C. 66.
 Prim v. Horen, 27 Mo. 205.
 Johnson v. Van Dyke, 20 Cal. 225.
 Davis v. Davis, 26 Cal. 46.
 Beach v. Gabriel, 29 Cal. 580.
 Hills v. Sherwood, 33 Cal. 479.
 Reed v. Spicer, 27 Cal. 58.
 Mahoney v. Van Winkle, 33 Cal. 448.
 Sabichi v. Aguilar, 43 Cal. 285.
 Chipley v. Farris, 45 Cal. 527.
 Gardiner v. Millar, 47 Cal. 570.
 McManus v. O'Sullivan, 48 Cal. 7.
 Hager v. Speet, 48 Cal. 406.
 Reed v. Ybarra, 50 Cal. 465.
 Hartman v. Reed, 50 Cal. 485.
 Morris v. De Celis, 51 Cal. 53.
 De Miranda v. Toomey, 51 Cal. 105.
 Burton v. Robinson, 51 Cal. 126.

Mining claims :

- The Four-Twenty Mg. Co. v. The Bullion Mg. Co., 3 Saw. C. C. 634.
 Davis v. Clark, 2 Montana, 310.
 Maine Boys Co. v. Boston Co., 37 Cal. 40.

Possession, when a protection :

- Walker v. Turner, 9 Wheat. 541.
 Wallace v. Mimer, 6 Ohio, 367.
 Wallace v. Mimer, 7 Ohio, 249.
 Clark v. Southerland, 16 Ohio St. 408.
 Hargis v. The Inhabitants, 29 Ind. 70.
 Tillotson v. Doe ex dem. Kennedy, 5 Ala. 407.
 Ashley v. Rector, 20 Ark. 359.
 Clark v. Hammerle, 27 Mo. 55.
 St. Louis University v. McCune, 28 Mo. 481.
 McCune v. O'Fallon, 32 Mo. 13.
 Richardson v. Williamson, 24 Mo. 269.
 Vassant v. Seitz, 31 Mo. 226.
 Fisher v. Coon, 40 Mo. 34.
 Judson v. Mallon, 40 Mo. 300.
 Grimm v. Curley, 43 Mo. 250.
 Hartman v. Reed, 50 Mo. 485.
 Langford v. Poppe, Sup. Ct. Cal., 6 Pacific Coast Law Journal, 434.

Recovery, when bar to :

- Henshaw v. Bissell, 18 Wall. 255.
 Bissell v. Henshaw, 1 Saw. C. C. 553.
 Union Mill and Mining Co. v. Ferris, 2 Saw. C. C. 176.
 Hall v. Russel, 3 Saw. C. C. 506.
 Withe v. Smith, 4 Saw. C. C. 17.
 Norton v. Meader, 4 Saw. C. C. 603.
 Duke v. Thompson, 16 Ohio, 34.
 Wood v. Ferguson, 7 Ohio St. 288.
 Trustees of Green Tp. v. Campbell, 16 Ohio St. 11.

LIMITATIONS, STATUTE OF—Continued.*Recovery, when bar to :*

- Cabunne v. Lindell, 12 Mo. 184.
 Gray v. Gives, 26 Mo. 291.
 Funkhouser v. Langkopp, 26 Mo. 453.
 Gibson v. Choteau, 50 Mo. 85.
 McIlhinney v. Fickle, 61 Mo. 329.
 Fremont v. Seals, 18 Cal. 433.
 Lathrop v. Mills, 19 Cal. 514.
 Van Sickle v. Haines, 7 Nev. 249.
 Langford v. Poppe, Sup. Ct. Cal., 6 Pacific Coast Law Journal, 434.

LOUISIANA—*Back Lands :*

- Jourdan v. Barrett, 4 How. 169.
 Surgett v. Lapice, 8 How. 48.
 Haydel v. Dufresne, 17 How. 23.
 Terrill v. Chambers, 12 La. 578.
 Jourdan v. Barrett, 13, La. 24.
 Tompson v. Schlater, 13 La. 115.
 Marsh v. Gonsoulin, 16 La. 84.
 Landry v. Gauteau, 1 Rob. (La.) 372.
 Kittridge v. Breand, 2 Rob. (La.) 41.
 Kittridge v. Landry, 2 Rob. (La.) 72.
 Kittridge v. Breand, 4 Rob. (La.) 79.
 Broussard v. Gonsoulin, 12 Rob. (La.) 1.
 Secretary Treasury, March 16, 1822, 2 L. I. & O. 359.
 Secretary Treasury, March 30, 1822, 2 L. I. & O. 359.
 Com'r G. L. O., instructions, Sept. 27, 1823, 2 L. I. & O. 374.
 Com'r G. L. O., instructions, Feb. 27, 1834, 2 L. I. & O. 491.
 Com'r G. L. O., instructions, Oct. 9, 1832, 2 L. I. & O. 572.
 Com'r G. L. O., instructions, March 18, 1833, 2 L. I. & O. 573.
 Com'r G. L. O., instructions, June 8, 1833, 2 L. I. & O. 577.
 Com'r G. L. O., instructions, April 13, 1825, 2 L. I. & O. 727.
 Com'r G. L. O., instructions, July 27, 1823, 2 L. I. & O. 828.
 Com'r G. L. O., instructions, March 2, 1827, 2 L. I. & O. 864.
 Com'r G. L. O., instructions, Aug. 7, 1832, 2 L. I. & O. 937.
 Com'r G. L. O., instructions, March 5, 1834, 2 L. I. & O. 955.
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 Com'r G. L. O., instructions, July 25, 1838, 2 L. I. & O. 1019.

Cession by Spain to France :

- Kenton v. Leonardo, 1 Rob. (La.) 343.

MANKATO, VILLAGE OF—

- Coy v. Coy, 15 Minn. 119.
 Village of Mankato v. Meagher, 17 Minn. 265.

MILITARY SITES—*Sales of :*

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 Secretary Interior, Fort Kearney, Nov. 5, 1878, 5 Copp's L. O. 131.
 Com'r G. L. O., instructions, July 12, 1817, 2 L. I. & O. 291.
 Com'r G. L. O., Fort Dearborn, July 31, 1835, 2 L. I. & O. 612.
 Com'r G. L. O., instructions, May 3, 1876, 2 L. I. & O. 813.
 Com'r G. L. O., Fort Ridgley, June 10, 1874, Copp's L. L. 311.

MINERAL LANDS—*Abandonment and forfeiture :*

- Hibschle v. Gildersleeve, U. S. Dist. Ct., Colo., 1880 (not reported).
 Mallett v. Uncle Sam Co., 1 Nev. 188.
 Oreamuns v. Uncle Sam Co., 1 Nev. 215.
 Weill v. Lucerne Co., 11 Nev. 200.
 King v. Edwards, 1 Montana, 235.
 Atkins v. Hendree, 1 Idaho, 107.
 Murley v. Ennis, 2 Colo. 300.
 Fairbanks v. Woodhouse, 6 Cal. 433.

MINERAL LANDS—Continued.

Abandonment and forfeiture:

- Davis v. Butler, 6 Cal. 510.
 Ferris v. Cooper, 10 Cal. 589.
 Waring v. Crow, 11 Cal. 366.
 Gluckauf v. Reed, 22 Cal. 468.
 Coleman v. Clements, 23 Cal. 245.
 Richardson v. McNulty, 24 Cal. 339.
 Wiseman v. McNulty, 25 Cal. 230.
 St. John v. Kidd, 26 Cal. 264.
 Dupuy v. Williams, 26 Cal. 309.
 Bell v. Tunnel & Mg. Co., 36 Cal. 214.
 Judson v. Mulloy, 40 Cal. 300.
 Strang v. Ryan, 46 Cal. 33.
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 Stone v. The Geyser & M. Co., 52 Cal. 315.
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 Secretary Interior, Jan. 3, 1877, Sacramento Lode, 3 Copp's L. O. 193.
 Secretary Interior, May 22, 1878, Empire G. & S. Mg. Co., 5 Copp's L. O. 50.
 Secretary Interior, June 29, 1878, Omaha Soda Mine, 5 Copp's L. O. 66.
 Secretary Interior, March 4, 1879, Am. Hill Mine, 6 Copp's L. O. 2.

Adverse claims:

- The Eureka Case, 4 Saw. C. C. 302.
 Golden Fleece Co. v. The Cable Co., 12 Nev. 312.
 Sears v. Taylor, 4 Colo. 38.
 Secretary Interior, Feb. 24, 1873, Julia G. & S. Mg. Co., Copp's Mg. Dec. 101.
 Secretary Interior, Oct. 28, 1873, Dardanelles Mg. Co., Copp's Mg. Dec. 161.
 Secretary Interior, Aug. 7, 1871, Becker v. Central City, 2 Copp's L. O. 98.
 Secretary Interior, Sept. 9, 1874, Daniel Webster & Homestead Cos. 1 Copp's L. O. 98.
 Secretary Interior, Jan. 2, 1875, Kempton Mine, 1 Copp's L. O. 172.
 Secretary Interior, March 22, 1875, Four-Twenty Co. v. Bullion Co., 2 Copp's L. O. 5.
 Secretary Interior, Feb. 12, 1876, Hawley v. Memnon Co., 2 Copp's L. O. 172.
 Secretary Interior, Dec. 26, 1876, King of the West v. City Rock, 3 Copp's L. O. 162.
 Secretary Interior, Feb. 17, 1877, Corning Tunnel Co., 3 Copp's L. O. 195.
 Secretary Interior, April 17, 1877, Pride of the West Lode, 4 Copp's L. O. 34.
 Secretary Interior, Jan. 3, 1877, Sacramento Lode, 3 Copp's L. O. 196.
 Secretary Interior, July 14, 1877, Aitken *et al.*, 4 Copp's L. O. 66.
 Secretary Interior, Sept. 27, 1877, Spruce-mont Lode, G. L. O. Rep. 1877, p. 135.
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 Secretary Interior, July 17, 1879, Dolly Varden Mine, 6 Copp's L. O. 73.
 Com'r G. L. O., Sept. 27, 1880, Chavanné v. Hurricane Lode, 8 Wash. Law Rep. 637.
 Com'r G. L. O., Dec. 29, 1871, Williams v. Carpenter, Copp's Mg. Dec. 76.
 Com'r G. L. O., Sept. 26, 1872, Maine Lode, Copp's Mg. Dec. 145.
 Com'r G. L. O., Jan. 14, 1873, A. J. Ridge, Copp's Mg. Dec. 156.
 Com'r G. L. O., June 9, 1873, Mountain Tiger Lode, Copp's Mg. Dec. 202.
 Com'r G. L. O., July 17, 1873, Tiger S. Mg. Co., Copp's Mg. Dec. 337.
 Com'r G. L. O., Jan. 21, 1874, Pennsylvania Mine, 1 Copp's L. O. 66.
 Com'r G. L. O., Oct. 26, 1874, Marshall S. Mg. Co., 1 Copp's L. O. 132.
 Com'r G. L. O., Dec. 14, 1874, City Rock v. King of the West, 1 Copp's L. O. 146.
 Com'r G. L. O., May 12, 1876, Omaha G. Mg. Co., 3 Copp's L. O. 38.
 Com'r G. L. O., Dec. 19, 1878, J. B. Hewitt *et al.*, 5 Copp's L. O. 162.
 Com'r G. L. O., April 25, 1879, Eldred v. Lacey, 6 Copp's L. O. 34.
 Com'r G. L. O., Sept. 19, 1879, Lincoln S. Mg. Co., 6 Copp's L. O. 105.

MINERAL LANDS—Continued.

Adverse claims:

- Com'r G. L. O., Feb. 28, 1880, Smuggler Lode, 7 Copp's L. O. 50.
 Com'r G. L. O., April 15, 1880, Stuart Mg. Co., 7 Copp's L. O. 51.
 Com'r G. L. O., June 28, 1880, Moonstone Fraction Lode, 7 Copp's L. O. 50.
 Com'r G. L. O., July 15, 1880, Mammoth Lode, 9 Wash. Law Rep. 461.
 Com'r G. L. O., Oct. 21, 1880, Wildman Mine, 8 Wash. Law Rep. 699.
 Com'r G. L. O., March 23, 1880, Nevada Reservoir Co. (unpublished).
 Com'r G. L. O., April 30, 1880, Morning Star & Waterloo (unpublished).
 Com'r G. L. O., Nov. 12, 1880, Morning Star & Waterloo (unpublished).

Affidavits:

- Secretary Interior, Feb. 17, 1877, Corning Tunnel Co., 3 Copp's L. O. 195.
 Com'r G. L. O., Jan. 27, 1876, A. D. Wheeler, 2 Copp's L. O. 162.
 Com'r G. L. O., Aug. 26, 1879, Argonaut Mine, 6 Copp's L. O. 92.
 Com'r G. L. O., Oct. 20, 1879, Headlight Mine, 6 Copp's L. O. 122.

Agents and attorneys:

- Secretary Interior, March 2, 1880, W. B. Frue *et al.*, 7 Copp's L. O. 20.
 Com'r G. L. O., Aug. 20, 1873, R. & R. Iron-ton, Mo., Copp's Mg. Dec. 222.
 Com'r G. L. O., Aug. 28, 1879, Argonaut Mine, 6 Copp's L. O. 92.
 Com'r G. L. O., Sept. 19, 1879, M. Blinn, G. L. O. Rep. 1879, p. 143.
 Com'r G. L. O., Oct. 20, 1879, Headlight Mine, 6 Copp's L. O. 122.

Agricultural claims upon mineral lands:

- Ah Yew v. Choate, 24 Cal. 562.
 Alford v. Barnum, 45 Cal. 482.
 Secretary Interior, Feb. 12, 1872, circular, Copp's Mg. Dec. 77.
 Secretary Interior, May 6, 1872, Kenna v. Dillon, Copp's Mg. Dec. 93.
 Secretary Interior, July 10, 1872, C. P. R. R. Co. v. Min. Claimants, Copp's Mg. Dec. 128.
 Secretary Interior, Aug. 6, 1872, Clark v. Calles *et al.*, Copp's Mg. Dec. 130.
 Secretary Interior, Dec. 14, 1872, Smith v. Stewart, Copp's Mg. Dec. 133.
 Secretary Interior, Jan. 3, 1876, H. W. R. Crouch, 2 Copp's L. O. 146.
 Secretary Interior, Feb. 5, 1876, Pulliam v. Hunter, 2 Copp's L. O. 180.
 Secretary Interior, March 21, 1876, Robert Anderson, 3 Copp's L. O. 2.
 Secretary Interior, March 23, 1876, Evans v. Rendall, 3 Copp's L. O. 2.
 Secretary Interior, April 5, 1877, Mull v. Rolls & Ross, 4 Copp's L. O. 19.
 Secretary Interior, June 21, 1877, Carron v. Curtis, 5 Copp's L. O. 3.
 Secretary Interior, Feb. 16, 1878, Carron v. Curtis, 5 Copp's L. O. 3.
 Secretary Interior, March 4, 1879, Kemp v. Starr, 6 Copp's L. O. 4.
 Secretary Interior, Dec. 22, 1879, Scrogin v. Culver, 7 Copp's L. O. 23.
 Secretary Interior, April 17, 1880, North Leadville v. Searl, 7 Copp's L. O. 36.
 Com'r G. L. O., Nov. 14, 1872, Tremain v. Brydon, Copp's Mg. Dec. 148.
 Com'r G. L. O., Oct. 21, 1871, circular, Copp's Mg. Dec. 60.
 Com'r G. L. O., Dec. 2, 1872, A. A. Sargent, Copp's Mg. Dec. 150.
 Com'r G. L. O., March 12, 1873, J. P. Jones, Copp's Mg. Dec. 163.
 Com'r G. L. O., July 10, 1873, C. Madden, Copp's Mg. Dec. 208.
 Com'r G. L. O., Nov. 11, 1873, P. B. Sibley, Copp's Mg. Dec. 233.
 Com'r G. L. O., Aug. 4, 1875, Mullan & Hyde, 2 Copp's L. O. 84.
 Com'r G. L. O., Feb. 18, 1875, Ewing v. Hartman, 1 Copp's L. O. 180.
 Com'r G. L. O., June 21, 1876, H. F. Page, 3 Copp's L. O. 50.

MINERAL LANDS—Continued.

Agricultural claims upon mineral lands:

- Com'r G. L. O., Oct. 24, 1876, Carrun v. Cur-
tia, 3 Copp's L. O. 130.
Com'r G. L. O., Nov. 23, 1876, Town of
Butte, Montana, 3 Copp's L. O. 131.
Com'r G. L. O., Dec. 20, 1876, Smith & Clark,
4 Copp's L. O. 102.
Com'r G. L. O., March 21, 1877, C. & O. R. R.
Co., 4 Copp's L. O. 2.
Com'r G. L. O., March 26, 1877, Bellows *et*
al, 4 Copp's L. O. 17.
Com'r G. L. O., April 25, 1879, Chapman v.
Lanig, 6 Copp's L. O. 91.
Com'r G. L. O., Nov. 6, 1879, C. H. Wyman,
6 Copp's L. O. 135.
Com'r G. L. O., April 22, 1880, circular, 7
Copp's L. O. 36.

Applications:

- Secretary Interior, Nov. 6, 1873, Santa Rita
del Cobre Mine, Copp's Mg. Dec. 191.
Secretary Interior, Jan. 2, 1875, Kempton
Mine, 1 Copp's L. O. 178.
Secretary Interior, March 22, 1875, Four-
Twenty Co. v. Bullion Co., 2 Copp's L.
O. 5.
Secretary Interior, June 29, 1875, Sapphire
v. Daney, G. L. O. Rep. 1876, p. 78.
Secretary Interior, Jan. 3, 1877, Sacramento
v. Last Chance, 3 Copp's L. O. 196.
Com'r G. L. O., Sept. 21, 1872, L. G. Irwin,
Copp's Mg. Dec. 145.
Com'r G. L. O., Feb. 18, 1873, W. Singer,
Copp's Mg. Dec. 159.
Com'r G. L. O., March 24, 1873, Gold Hill
Tunnel Co., Copp's Mg. Dec. 165.
Com'r G. L. O., April 15, 1873, Santa Rita
del Cobre, Copp's Mg. Dec. 188.
Com'r G. L. O., Jan. 22, 1873, R. & R., Le
Grand, Oreg., Copp's Mg. Dec. 157.
Com'r G. L. O., Jan. 6, 1874, R. & R., Carson
City, Nev., Copp's Mg. Dec. 340.
Com'r G. L. O., July 21, 1874, Pennsylvania
Mg. Co., 1 Copp's L. O. 66.
Com'r G. L. O., Aug. 18, 1874, Hayden &
Gilchrist, 1 Copp's L. O. 83.
Com'r G. L. O., Dec. 14, 1874, King of the
West Lode, 1 Copp's L. O. 146.
Com'r G. L. O., Aug. 17, 1875, R. & R.,
Helena, Mont., 2 Copp's L. O. 22.
Com'r G. L. O., Nov. 12, 1875, Lake Quick-
silver Mg. Co., 2 Copp's L. O. 130.
Com'r G. L. O., Dec. 29, 1875, South Com-
stock G. & S. Co., 2 Copp's L. O. 146.
Com'r G. L. O., April 29, 1875, Yosemite
Mine, 3 Copp's L. O. 18.
Com'r G. L. O., April 20, 1877, Surveyor-
General, Colorado, 4 Copp's L. O. 35.
Com'r G. L. O., Oct. 20, 1879, Headlight
Mine, 6 Copp's L. O. 122.

Citizenship:

- Craig v. Bradford, 3 Wheat. 594.
Gouverneur's heirs v. Robertson, 11 Wheat.
332.
Cross v. De Valle, 1 Wall. 1.
Osterman v. Baldwin, 6 Wall. 116.
Cowell v. Springs Co., 10 Otto, 55.
Phillips v. Moore, 10 Otto, 208.
5 Op. Att. Gen. 551.
Op. Att. Gen. Aug. 6, 1875 (not published).
Chapman v. Toy Long, 4 Saw. C. C. 28.
Jackson v. Beech, Johnson's Cases, 401.
Mitchell v. Hargood, 6 Cal. 148.
Secretary Interior, Jan. 2, 1875, Kempton
Mine, 1 Copp's L. O. 178.
Secretary Interior, April 1, 1875, Wander-
ing Boy Mine, 2 Copp's L. O. 2.
Secretary Interior, July 23, 1875, Mono
Mg. Co., 2 Copp's L. O. 68.
Secretary Interior, July 29, 1876, John
Mooney, 3 Copp's L. O. 68.
Secretary Interior, July 26, 1879, New
Idria Co., G. L. O. Rep. 1879, p. 157.
Com'r G. L. O., June 7, 1871, Gunboat
Lode, Copp's Mg. Dec. 43.
Com'r G. L. O., Aug. 13, 1872, Billings
Lode, Copp's Mg. Dec. 134.
Com'r G. L. O., Sept. 17, 1874, Cash Lode, 1
Copp's L. O. 98.

MINERAL LANDS—Continued.

Citizenship:

- Com'r G. L. O., Oct. 28, 1875, Dudley Chase,
2 Copp's L. O. 114.
Com'r G. L. O., April 24, 1876, J. B. Coates,
3 Copp's L. O. 18.
Com'r G. L. O., July 18, 1876, Lady Allen
Lode, 3 Copp's L. O. 69.

Co-owners:

- The Four-Twenty Mg. Co. v. The Bullion
Co., 3 Saw. C. C. 634.
Mallett v. Uncle Sam Co., 1 Nev. 188.
Chase v. Savage Co., 2 Nev. 9.
Bucher v. Mulverhill, 1 Montana, 306.
Murley v. Ennis, 2 Colo. 300.
Waring v. Crow, 11 Cal. 366.
Gore v. McBrayer, 18 Cal. 582.
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Coleman v. Clements, 23 Cal. 245.
Hughes v. Devlin, 23 Cal. 501.
Wineman v. McNulty, 25 Cal. 230.
Morton v. Solambo Co., 26 Cal. 527.
Duryea v. Burt, 28 Cal. 569.
Goller v. Fett, 30 Cal. 481.
Settembre v. Putnam, 30 Cal. 490.
Jones v. Clark, 42 Cal. 180.
Taylor v. Castle, 42 Cal. 367.
Decker v. Howell, 42 Cal. 636.
Strang v. Ryan, 46 Cal. 33.
Com'r G. L. O., July 19, 1876, Minnie T.
& M. Co., 3 Copp's L. O. 66.
Com'r G. L. O., June 9, 1877, D. P. Whe-
don, 4 Copp's L. O. 50.
Com'r G. L. O., Dec. 21, 1877, B. H. Brooks,
5 Copp's L. O. 4.

Coal Lands:

- Stroud v. Railway Co., 4 Dillon, C. C. 396.
Com'r G. L. O., Aug. 11, 1873, Rocky Moun-
tain Coal Co., 1 Copp's L. O. 2.
Com'r G. L. O., March 23, 1874, John Yoa-
kum, 1 Copp's L. O. 3.
Com'r G. L. O., May 25, 1874, M. H. Dun-
nell, 1 Copp's L. O. 34.
Com'r G. L. O., Nov. 3, 1874, Hogden &
Wheeler, 1 Copp's L. O. 135.

*Exclusion of minerals from grants to certain
States:*

- Cooper v. Roberts, 18 How. 173.
Heydenfeldt v. Mining Co., 3 Otto, 634.
Ivanhoe Mg. Co. v. Keystone Con. Mg.
Co., U. S. Sup. Ct., Oct. Term, 1880.
Boggs v. Merced Mining Co., 14 Cal. 279.
Buridge v. Smith, 14 Cal. 320.
Doran v. Railroad Company, 24 Cal. 452.
Higgins v. Houghton, 25 Cal. 252.
McLaughlin v. Powell, 50 Cal. 64.
Wedekind v. Craig, Supl. Ct., Cal. 1880 (un-
published).
Secretary Interior, May 20, 1880, State Nev.,
Copp's Mg. Dec. 31.
Secretary Interior, April 18, 1873, State
Cal., Keystone case, Copp's Mg. Dec. 105.
Secretary Interior, April 30, 1879, State
Colo., 7 Wash. Law Rep. 173.
Com'r G. L. O., Nov. 3, 1874, State Cal.,
1 Copp's L. O. 134.
Com'r G. L. O., Feb. 5, 1879, State Colo.,
5 Copp's L. O. 178.
Com'r G. L. O., Dec. 18, 1879, State Colo.,
6 Copp's L. O. 152.

Exception of mineral lands in certain States:

- Com'r G. L. O., July 21, 1876, circular, 3
Copp's L. O. 132.

Expenditures:

- Mt. Diablo Mg. Co. v. Callison, 5 Saw. C. C.
439.
Parker v. Heaton, 9 Cal. 568.
Secretary Interior, Aug. 27, 1872, R. M.
Douglas, Copp's Mg. Dec. 136.
Secretary Interior, Sept. 6, 1878, Sulphur
Mine, 5 Copp's L. O. 100.
Secretary Interior, March 4, 1879, Am.
Hill Case, 6 Copp's L. O. 2.
Secretary Interior, June 23, 1879, Del Norte
Lode, 7 Copp's L. O. 5.
Com'r G. L. O., Oct. 28, 1875, Dudley Chase,
2 Copp's L. O. 114.
Com'r G. L. O., Jan. 16, 1878, John Hunter,
5 Copp's L. O. 34.

MINERAL LANDS—Continued.

Expenditures:

- Com'r G. L. O., Aug. 20, 1879, Am. Flag Lode, G. L. O. Rep. 1879, p. 144.
 Com'r G. L. O., Sept. 12, 1879, E. H. Salliel, G. L. O. Rep. 1879, p. 143.
 Com'r G. L. O., Oct. 20, 1879, Headlight Lode, 6 Copp's L. O. 122.
 Com'r G. L. O., May 1, 1880, H. N. Copp, 7 Copp's L. O. 20.
 Com'r G. L. O. Sept. 25, 1880, A. H. Hale, 8 Wash. Law Rep. 652.

Weeks' Mg. Laws, 113, 115, 116, 118, 120, 121.

Exploration, occupation and purchase, how and what subject to:

United States v. Parrott, 1 McAllister, C. C. 271.

Chapman v. Toy Long, 4 Saw. C. C. 28.

Mt. Diablo Mg. Co. v. Callison, 5 Saw. C. C. 439.

Stroud v. Railway Co., 4 Dillon C. C. 396.

Hibschle v. Gildersleeve, U. S. Dist. Ct., Colo., 1880 (not reported).

14 Op. Att. Gen. 115.

Rogers v. Cooney, 7 Nev. 213.

Golden Fleece Co. v. Cable Mg. Co., 12 Nev. 312.

Gold Hill Co. v. Ish, 5 Oreg. 104.

Stoakes v. Barrett, 5 Cal. 36.

Conger v. Weaver, 6 Cal. 548.

Welmer v. Lowry, 11 Cal. 104.

Boggs v. Merced Mg. Co., 14 Cal. 279.

Henshaw v. Clark, 14 Cal. 461.

Clark v. Duval, 15 Cal. 85.

Smith v. Doe, 15 Cal. 100.

Moore v. Smaw, 17 Cal. 199.

Lentz v. Victor, 17 Cal. 272.

Fremont v. Seals, 18 Cal. 433.

Rupley v. Welch, 23 Cal. 452.

Ensminger v. McIntire, 23 Cal. 593.

Doran v. Railway Co., 24 Cal. 245.

Richardson v. McNulty, 24 Cal. 339.

Gibson v. Puchta, 33 Cal. 310.

Levaion v. Miller, 34 Cal. 231.

Laird v. Waterford, 50 Cal. 315.

Secretary Interior, Aug. 26, 1871, Copp's Mg. Dec. 60.

Secretary Interior, Sept. 3, 1872, Copp's Mg. Dec. 140.

Com'r G. L. O., July 10, 1873, Copp's Mg. Dec. 209.

Com'r G. L. O., July 15, 1873, Copp's Mg. Dec. 316.

Com'r G. L. O., July 26, 1873, Copp's Mg. Dec. 214.

Com'r G. L. O., Oct. 23, 1874, 1 Copp's L. O. 132.

Com'r G. L. O., June 28, 1875, 2 Copp's L. O. 66.

Com'r G. L. O., Nov. 13, 1877, 4 Copp's L. O. 179.

Com'r G. L. O., Sept. 30, 1879.

Intersecting veins, rights of parties:

Secretary Interior, Feb. 24, 1873, Julia G. & S. Mg. Co., Copp's Mg. Dec. 101.

Secretary Interior, July 21, 1879, Adelaide v. Camp Bird, 6 Copp's L. O. 73.

Com'r G. L. O., May 27, 1872, Julia G. & S. Mg. Co., Copp's Mg. Dec. 96.

Com'r G. L. O., Feb. 25, 1876, J. B. Belford, 2 Copp's L. O. 178.

Local rules, regulations, customs, and laws; effect of:

Sparrow v. Strong, 3 Wall. 97.

Chapman v. Toy Long, 4 Saw. C. C. 28.

Territory v. Lee, 2 Montana, 124.

Hicks v. Bell, 3 Cal. 219.

Stoakes v. Barrett, 5 Cal. 36.

Tartar v. Spring Creek Co., 5 Cal. 395.

Bridge v. Underwood, 6 Cal. 45.

Doran v. Railway Co., 24 Cal. 245.

Morton v. Solambo Mg. Co., 26 Cal. 527.

Tunnel Co. v. Stranahan, 31 Cal. 387.

Titcomb v. Kirk, 51 Cal. 288.

Golden Fleece Co. v. The Cable Co., 12 Nev. 312.

Harvey v. Bryan, 42 Cal. 626.

Com'r G. L. O., Aug. 25, 1871, E. J. Masters, Copp's Mg. Dec. 59.

MINERAL LANDS—Continued.

Locations; extent, shape, and course of:

Flagstaff Silver Mg. Co. v. Tarbet, 8 Otto, 463.

The Eureka Case, 4 Saw. C. C. 302.

Mt. Diablo Mg. Co. v. Callison, 5 Saw. C. C. 439.

Mallett v. Uncle Sam Co., 1 Nev. 188.

Foot v. National Mg. Co., 2 Montana, 402.

Prosser v. Parks, 18 Cal. 47.

Tunnel Co. v. Stranahan, 31 Cal. 387.

Correa v. Frietas, 42 Cal. 339.

Secretary Interior, Aug. 26, 1874, Silver Ore Lode, 1 Copp's L. O. 83.

Secretary Interior, Aug. 4, 1871, New Idria Mg. Co., Copp's Mg. Dec. 57.

Com'r G. L. O., Sept. 22, 1870, San Augustine Mg. Co., Copp's Mg. Dec. 32.

Com'r G. L. O., March 19, 1873, A. B. Beauvais, Copp's Mg. Dec. 164.

Com'r G. L. O., May 1, 1873, War Eagle Mine, Copp's Mg. Dec. 195.

Com'r G. L. O., May 20, 1873, R. O. Old, Copp's Mg. Dec. 201.

Com'r G. L. O., June 17, 1873, Hoyt Bros., Copp's Mg. Dec. 207.

Com'r G. L. O., July 10, 1873, San Xavier Mine, Copp's Mg. Dec. 209.

Com'r G. L. O., Nov. 18, 1873, T. A. Shaw, Copp's Mg. Dec. 235.

Com'r G. L. O., Feb. 11, 1875, Surv.-Gen. Montana, 1 Copp's L. O. 179.

Com'r G. L. O., Dec. 29, 1875, South Comstock Co., 2 Copp's L. O. 146.

Com'r G. L. O., Aug. 28, 1876, Philadelphia Lode, 3 Copp's L. O. 82.

Com'r G. L. O., May 4, 1880, Surv.-Gen. Colo. 7 Copp's L. O. 35.

Location; record and evidence of:

Campbell v. Rankin, 9 Otto, 261.

Kinney v. Con. Va. Mg. Co., 4 Saw. C. C. 382.

Hibschle v. Gildersleeve, U. S. Dist. Ct., Colo., 1880 (unpublished).

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Van Valkenburgh v. Huff, 1 Nev. 142.

Rogers v. Cooney, 7 Nev. 213.

Phillipotts v. Blasdel, 8 Nev. 61.

Weill v. Lucerne Co., 11 Nev. 200.

Golden Fleece Co. v. Cable Mg. Co., 12 Nev. 312.

Gleason v. Martin White Co., 13 Nev. 442.

Roberts v. Wilson, 1 Utah, 292.

Connor v. McPhee, 1 Montana, 73.

King v. Edwards, 1 Montana, 235.

Moxon v. Wilkinson, 2 Montana, 421.

Murley v. Ennis, 2 Colo. 300.

Sullivan v. Hense, 2 Colo. 424.

Patterson v. Hitchcock, 3 Colo. 533.

Wolfley v. Lebanon Co., 4 Colo. 112.

Sears v. Taylor, 4 Colo. 38.

Live Yankee Co. v. Oregon Co., 7 Cal. 41.

Water Co. v. Mooney, 12 Cal. 534.

Pennsylvania Mg. Co. v. Owens, 15 Cal. 135.

Lombards v. Ferguson, 15 Cal. 372.

Roach v. Gray, 16 Cal. 383.

Attwood v. Friot, 17 Cal. 38.

English v. Johnson, 17 Cal. 108.

Prosser v. Parks, 18 Cal. 47.

Gore v. McBrayer, 18 Cal. 582.

Downing v. Rankin, 19 Cal. 641.

Tunnel Co. v. Stranahan, 20 Cal. 198.

Kelley v. Taylor, 23 Cal. 11.

Coleman v. Clements, 23 Cal. 245.

Maye v. Tappin, 23 Cal. 306.

Draper v. Douglas, 23 Cal. 347.

Morton v. Solambo Mg. Co., 26 Cal. 527.

Hess v. Winder, 30 Cal. 349.

Tunnel Co. v. Stranahan, 31 Cal. 387.

King v. Randlett, 33 Cal. 318.

Pralus v. Jefferson Mg. Co., 34 Cal. 559.

Pralus v. Pacific Mg. Co., 35 Cal. 30.

Bradley v. Lee, 38 Cal. 362.

Harvey v. Ryan, 42 Cal. 626.

Strang v. Ryan, 46 Cal. 33.

Titcomb v. Kirk, 51 Cal. 288.

Holland v. M. A. G. Mg. Co., 53 Cal. 149.

Gelcich v. Moriarity, 53 Cal. 217.

MINERAL LANDS—Continued.

Location; record and evidence of:

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 Myers v. Spooner, Sup. Ct., Cal., 1880 (unpublished).
 Secretary Interior, April 1, 1875, 2 Copp's L. O. 2.
 Com'r G. L. O., May 16, 1873, Copp's Mg. Dec. 200.
 Com'r G. L. O., Aug. 28, 1876, 3 Copp's L. O. 82.
 Com'r G. L. O., June 13, 1876, 3 Copp's L. O. 50.
 Com'r G. L. O., Oct. 20, 1876, 6 Copp's L. O. 122.
 Com'r G. L. O., Sept. 25, 1880, A. H. Hale, 8 Wash. Law Rep. 652.

Mill Sites:

Secretary Interior, April 29, 1876, Newark Mill and Mg. Co., 3 Copp's L. O. 67.
 Com'r G. L. O., Oct. 11, 1872, Golconda Mill Site, Copp's Mg. Dec. 147.
 Com'r G. L. O., April 16, 1873, Surv.-Gen. New Mexico, Copp's Mg. Dec. 193.
 Com'r G. L. O., May 20, 1873, R. O. Old, Copp's Mg. Dec. 201.
 Com'r G. L. O., March 10, 1874, Surv.-Gen. Colo., 1 Copp's L. O. 2.
 Com'r G. L. O., Oct. 21, 1875, E. T. George, 2 Copp's L. O. 114.
 Com'r G. L. O., Sept. 24, 1879 (unpublished).

Notice:

Wolfley v. Lebanon Mg. Co., 4 Colo. 112.
 Secretary Interior, Dec. 5, 1871, Flagstaff Lode, Copp's Mg. Dec. 70.
 Secretary Interior, Nov. 24, 1873, Eureka v. Jenny Lind, Copp's Mg. Dec. 169.
 Secretary Interior, April 30, 1874, Bellwether Lode, 1 Copp's L. O. 34.
 Secretary Interior, Jan. 2, 1875, Kempton Mine, 1 Copp's L. O. 178.
 Secretary Interior, April 1, 1875, Prince of Wales Lode et al., 2 Copp's L. O. 2.
 Secretary Interior, Dec. 1, 1876, Omaha Lode, 3 Copp's L. O. 163.
 Secretary Interior, Dec. 28, 1876, King of the West Lode, 3 Copp's L. O. 162.
 Com'r G. L. O., Nov. 12, 1873, Secret Cañon Lode, Copp's Mg. Dec. 234.
 Com'r G. L. O., July 21, 1874, Pennsylvania Mine, 1 Copp's L. O. 66.
 Com'r G. L. O., Nov. 12, 1875, Lake Quick-silver Mg. Co., 2 Copp's L. O. 130.
 Com'r G. L. O., March 7, 1876, R. & R., Central City, Colo., 2 Copp's L. O. 180.
 Com'r G. L. O., April 29, 1876, C. W. Cannon et al., 3 Copp's L. O. 18.
 Com'r G. L. O., Jan. 4, 1877, R. & R., Fair-play, Colo., 3 Copp's L. O. 196.
 Com'r G. L. O., Aug. 28, 1879, Argonaut Mine, 6 Copp's L. O. 92.
 Com'r G. L. O., Oct. 29, 1879.
 Com'r G. L. O., April 30, 1880.

Partnerships:

Bucher v. Mulverhill, 1 Montana, 306.
 Hughes v. Devlin, 23 Cal. 501.
 Chase v. The Savage Silver Mg. Co., 2 Nev. 9.

Patents:

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 Wolfley v. Lebanon Mg. Co., 4 Colo. 112.
 St. Louis Co. v. Kemp, U. S. Cir. Ct., Colo., 1879 (unpublished).
 Secretary Interior, Jan. 14, 1873, Wyoming Mine, Copp's Mg. Dec. 152.
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 Secretary Interior, March 22, 1875, Four-Twenty Co. v. Bullion Co., 2 Copp's L. O. 5.
 Secretary Interior, April 1, 1875, Prince of Wales Lode et al., 2 Copp's L. O. 2.
 Secretary Interior, July 29, 1875, H. F. Page, 2 Copp's L. O. 82.
 Secretary Interior, July 21, 1879, Camp Bird Mine, 6 Copp's L. O. 73.
 Com'r G. L. O., Jan. 21, 1869, G. W. Warren, Copp's Mg. Dec. 18.

MINERAL LANDS—Continued.

Patents:

Com'r G. L. O., July 22, 1869, Idaho Co., Copp's Mg. Dec. 21.
 Com'r G. L. O., April 18, 1870, Cascade S. Mg. Co., Copp's Mg. Dec. 30.
 Com'r G. L. O., Jan. 2, 1872, J. N. Whiting, Copp's Mg. Dec. 76.
 Com'r G. L. O., Feb. 27, 1872, Kansas Lode, Copp's Mg. Dec. 79.
 Com'r G. L. O., April 4, 1872, Chicago & Clear Creek Co., Copp's Mg. Dec. 85.
 Com'r G. L. O., April 5, 1872, Chicago & Clear Creek Co., Copp's Mg. Dec. 88.
 Com'r G. L. O., Oct. 2, 1872, Vespasian Mine, Copp's Mg. Dec. 146.
 Com'r G. L. O., March 8, 1873, A. Sintro, Copp's Mg. Dec. 162.
 Com'r G. L. O., Feb. 26, 1873, Hoyt, Sears, & McKee, Copp's Mg. Dec. 213.
 Com'r G. L. O., Oct. 23, 1873, C. P. R. R. Co., Copp's Mg. Dec. 227.
 Com'r G. L. O., March 14, 1874, Dutch Flat Placer, 1 Copp's L. O. 2.
 Com'r G. L. O., June 22, 1875, Harkness Placer, 2 Copp's L. O. 98.
 Com'r G. L. O., Oct. 26, 1875, Equater Lode, 2 Copp's L. O. 114.
 Com'r G. L. O., Dec. 29, 1875, South Comstock Co. 2 Copp's L. O. 146.
 Com'r G. L. O., Feb. 25, 1876, J. B. Belford, 2 Copp's L. O. 178.
 Com'r G. L. O., Jan. 15, 1880, Tilden Lode, 6 Copp's L. O. 171.

Payment:

Com'r G. L. O., Jan. 30, 1873, R. & R., Fair-play, Colo., Copp's Mg. Dec. 157.

Placers; right of possession and purchase of:

Chapman v. Toy Long, 4 Saw. C. C. 28.
 Moxon v. Wilkinson, 2 Montana, 421.
 Secretary Interior, March 4, 1879, Kemp v. Starr, 6 Copp's L. O. 4.
 Com'r G. L. O., Feb. 12, 1872, T. N. Stoddard, Copp's Mg. Dec. 78.
 Com'r G. L. O., April 13, 1873, R. & R., Los Angeles, Cal., Copp's Mg. Dec. 194.
 Com'r G. L. O., April 25, 1874, R. B. Patton, 1 Copp's L. O. 18.

Area of placers locatable—Joint entries:

St. Louis S. & M. Co. v. Kemp et al., U. S. Cir. Ct., Colo., 1879 (unpublished).
 Campbell v. Adams, U. S. Dist. Ct., Colo., 1880 (unpublished).
 Com'r G. L. O., March 1, 1871, A. A. Sargent, Copp's Mg. Dec. 40.
 Com'r G. L. O., Jan. 22, 1873, R. & R., Le Grand, Oreg., Copp's Mg. Dec. 157.
 Com'r G. L. O., July 10, 1873, R. & R., Fair-play, Colo., Copp's Mg. Dec. 211.
 Com'r G. L. O., Oct. 23, 1873, R. & R., Sacramento, Cal., Copp's Mg. Dec. 229.
 Com'r G. L. O., Nov. 20, 1873, R. & R., Fair-play, Colo., Copp's Mg. Dec. 235.
 Com'r G. L. O., Nov. 21, 1874, H. F. Page, 1 Copp's L. O. 134.
 Com'r G. L. O., Sept. 21, 1879, Smith Bros., G. L. O. Rep. 1879, p. 143.

Conformity of placers to surveys, and limitation of area:

St. Louis S. & M. Co. v. Kemp, et al., U. S. Cir. Ct., Colo., 1880 (unpublished).
 Campbell v. Adams, U. S. Dist. Ct., Colo., 1880 (unpublished).
 Com'r G. L. O., May 19, 1873, Surv.-Gen. Montana, Copp's Mg. Dec. 200.

Possession of placers under statute of limitations; effect of:

Four-Twenty Mg. Co. v. The Bullion Co., 3 Saw. C. C. 634.
 Davis v. Clark, 2 Montana, 310.
 Maine Boys Co. v. The Boston Co., 37 Cal. 40.

Proceedings for patents on placers, and inclusion of lodes:

Com'r G. L. O., Aug. 12, 1873, R. & R., Helena, Montana, Copp's Mg. Dec. 222.
 Com'r G. L. O., Oct. 17, 1873, R. & R., Sacramento, Cal., Copp's Mg. Dec. 226.
 Com'r G. L. O., Sept. 18, 1880, Olathe Placer, 7 Copp's L. O. 100.

MINERAL LANDS—Continued.*Proceedings on patents for placers, and inclusion of lodes:*

Com'r G. L. O., Sept. 30, 1880, Hillside Placer (not reported).
Com'r G. L. O., Oct. 1, 1880, Hillside Placer (not reported).

Possession; rights of, and enjoyment by locators:

Sparrow v. Strong, 3 Wall. 97.
Heydenfeldt v. Mining Co., 3 Otto, 634.
Forbes v. Gracey, 4 Otto, 762.
Jeunison v. Kirk, 8 Otto, 453.
Flagstaff S. Mg. Co. v. Tarbet, 8 Otto, 463.
Four-Twenty Mining Co. v. The Bullion Co., 3 Saw. C. C. 634.
The Eureka Case, 4 Saw. C. C. 302.
Chapman v. Toy Long, 4 Saw. C. C. 28.
Kinney v. Con. Va. Mg. Co., 4 Saw. C. C. 382.
Mt. Diablo Mg. Co. v. Callison, 5 Saw. C. C. 439.

Hibschle v. Gildersleeve, U. S. Dist. Ct., Colo., 1880 (unpublished).

Hale & Norcross v. Storey Co., 1 Nev. 104.

People v. Logan, 1 Nev. 109.

Leet v. John Dare Mg. Co., 6 Nev. 218.

Overman Co. v. American Mg. Co., 7 Nev. 312.

Golden Fleece Co. v. Cable Co., 12 Nev. 312.

Robertson v. Smith, 1 Montana, 412.

Atkins v. Hendree, 1 Idaho, 107.

Gold Hill Mg. Co. v. Ish, 5 Oreg. 104.

Patterson v. Hitchcock, 3 Colo. 533.

Woldley v. Lebanon Mg. Co., 4 Colo. 112.

Fitzgerald v. Urton, 5 Cal. 308.

Bridge v. Underwood, 6 Cal. 215.

Sims v. Sims, 7 Cal. 149.

Merced Mg. Co. v. Fremont, 7 Cal. 317.

O'Keiff v. Cunningham, 9 Cal. 589.

Merritt v. Judd, 14 Cal. 60.

Boggs v. Merced Mining Co., 14 Cal. 279.

Henshaw v. Clark, 14 Cal. 461.

Clark v. Duval, 15 Cal. 85.

Smith v. Doe, 15 Cal. 100.

Pennsylvania Mg. Co. v. Owens, 15 Cal. 135.

Esmond v. Chew, 15 Cal. 137.

Brown v. 'Forty-nine & 'Fifty-six Co., 15 Cal. 152.

Gillan v. Hutchinson, 16 Cal. 154.

Coryell v. Cain, 16 Cal. 567.

Attwood v. Fricot, 17 Cal. 38.

English v. Johnson, 17 Cal. 108.

Gore v. Mcbrayer, 18 Cal. 582.

Rogers v. Sogga, 21 Cal. 444.

Hughes v. Devlin, 23 Cal. 501.

Ensminger v. McIntire, 23 Cal. 593.

Doran v. Railway Co., 24 Cal. 245.

Richardson v. McNulty, 24 Cal. 339.

Hess v. Winder, 30 Cal. 349.

Tunnel Co. v. Stranahan, 31 Cal. 387.

Gibson v. Puchta, 33 Cal. 310.

Levaroni v. Miller, 34 Cal. 231.

Pralus v. Jefferson Mg. Co., 34 Cal. 559.

Pralus v. Pacific Mg. Co., 35 Cal. 30.

Clark v. Willett, 35 Cal. 535.

Maine Boys Co v. Boston Co., 37 Cal. 40.

Bradley v. Lee, 38 Cal. 362.

Correa v. Frietas, 42 Cal. 339.

Laird v. Waterford, 50 Cal. 315.

Titcomb v. Quirk, 51 Cal. 288.

Phoenix Co. v. Lawrence, Sup. Ct., Cal., 1880 (unpublished.)

Com'r G. L. O., Sept. 26, 1878, Am. Hill Mine, 5 Copp's L. O. 114.

Com'r G. L. O., May 4, 1880, Surv.-Gen. Colorado, 7 Copp's L. O. 35.

Relocations:

Secretary Interior, Nov. 6, 1873, Santa Rita del Cobre Mine, Copp's Mg. Dec. 191.

Secretary Interior May 22, 1878, Empire G. & S. Mg. Co., 5 Copp's L. O. 50.

Secretary Interior June 29, 1878, Omaha Soda Mine, 5 Copp's L. O. 66.

Com'r G. L. O., April 15, 1873, Santa Rita del Cobre Mine, Copp's Mg. Dec. 191.

Com'r G. L. O., Sept. 25, 1873, R. & R., Central City, Colo., Copp's Mg. Dec. 223.

Com'r G. L. O., April 21, 1876, Hazen Cheney, 3 Copp's L. O. 37.

Com'r G. L. O., Dec. 13, 1878, Peerless Lode, 5 Copp's L. O. 162.

MINERAL LANDS—Continued.*Protestants, or amici curias:*

Secretary Interior, April 30, 1874, Bellwether Lode, 1 Copp's L. O. 34.

Secretary Interior, March 24, 1876, Boston Q. Mine, 4 Copp's L. O. 34.

Secretary Interior, Feb. 17, 1877, Mt. Pleasant Mine, 3 Copp's L. O. 194.

Secretary Interior, March 10, 1877, Cerro Bonito Q. Mine, 4 Copp's L. O. 3.

Secretary Interior, July 21, 1879, Camp Bird Mine, 6 Copp's L. O. 73.

Com'r G. L. O., Aug. 17, 1874, Seven-Thirty Lode, 1 Copp's L. O. 82.

Com'r G. L. O., Oct. 8, 1875, Searl Lode, 2 Copp's L. O. 115.

Purchase, right of:

The Four-Twenty Mining Co. v. The Bullion Co., 3 Saw. C. C. 634.

Chapman v. Toy Long, 4 Saw. C. C. 28.

Titcomb v. Kirk, 51 Cal. 288.

Surveys:

Secretary Interior, May 22, 1878, Empire G. & S. Co., 5 Copp's L. O. 50.

Secretary Interior, Sept. 6, 1878, Sulphur Mine, 5 Copp's L. O. 100.

Secretary Interior, Aug. 2, 1880, Orient, Occident et al., 8 Wash. Law Rep. 540.

Secretary Interior, Aug. 16, 1880, Big Flat Gravel Mg. Co. (unpublished).

Secretary of Interior, Oct. 26, 1880, Beatrice and Monitor Lodes (unpublished).

Com'r G. L. O., April 17, 1873, Josiah Dartt, Copp's Mg. Dec. 193.

Com'r G. L. O., Sept. 11, 1873, Surv.-Gen. Nevada, Copp's Mg. Dec. 223.

Com'r G. L. O., April 6, 1874, Segregated Belcher Co., Copp's Mg. Dec. 340.

Com'r G. L. O., Nov. 5, 1874, Surv.-Gen. Colorado, 1 Copp's L. O. 133.

Com'r G. L. O., April 24, 1876, Live Oak Quartz Mine, 3 Copp's L. O. 18.

Com'r G. L. O., Aug. 28, 1876, Philadelphia Lode, 3 Copp's L. O. 82.

Com'r G. L. O., April 10, 1877, Bright Point et al. Lodes, 5 Copp's L. O. 51.

Com'r G. L. O., Nov. 30, 1877, J. H. Russell Lode, 5 Copp's L. O. 18.

Com'r G. L. O., Oct. 20, 1879, Headlight Mine, 6 Copp's L. O. 122.

Com'r G. L. O., May 4, 1880, Surv. Gen. Colorado, 7 Copp's L. O. 35.

Com'r G. L. O., June 17, 1880, Orient, Occident, et al., 7 Copp's L. O. 51.

Surveyors, deputy; limit of jurisdiction of:

Com'r G. L. O., Aug. 6, 1872, W. M. Seawell, Copp's Mg. Dec. 131.

Com'r G. L. O., Nov. 20, 1873, circular, Copp's Mg. Dec. 319.

Sutro, A.; saving rights of:

Secretary Interior Aug. 30, 1878, Sutro v. Occidental Co., 5 Copp's L. O. 98.

Com'r G. L. O., March 8, 1873, A. Sutro, Copp's Mg. Dec. 162.

Com'r G. L. O., March 29, 1873, R. & R., Carson City, Nev., Copp's Mg. Dec. 179.

Com'r G. L. O., May 27, 1876, Sutro Tunnel Co., 3 Copp's L. O. 34.

Reservation of, from sale:

United States v. Gratiot, 14 Pet. 526.

United States v. Gear, 3 How. 120.

Cooper v. Roberts, 18 How. 73.

Secretary v. McGarrahan, 9 Wall. 298.

Morton v. Nebraska, 21 Wall. 660.

Heydenfeldt v. Mining Co., 3 Otto, 634.

United States v. Parrott, 1 McAllister, C. C. 272.

United States v. Gratiot, 1 McLean, C. C. 454.

Indiana v. Miller, 3 McLean, C. C. 151.

3 Op. Att. Gen. 277; 5 id. 247; 7 id. 636; 10 id. 184.

Heydenfeldt v. Mining Co., 10 Nev. 290.

Gold Hill Co. v. Ish, 5 Oreg. 104.

Hicks v. Bell, 3 Cal. 219.

Stoakes v. Barrett, 5 Cal. 36.

People v. Folsom, 5 Cal. 373.

Conger v. Weaver, 6 Cal. 548.

Nims v. Johnson, 7 Cal. 111.

MINERAL LANDS—Continued.*Reservation of, from sale:*

- Boggs v. Merced Mg. Co., 14 Cal. 279.
 Burdge v. Smith, 14 Cal. 380.
 Moore v. Snaw, 17 Cal. 199.
 Lentz v. Victor, 17 Cal. 272.
 F. emont v. Seals, 18 Cal. 433.
 Rupley v. Welch, 23 Cal. 452.
 Doran v. Railway Co., 24 Cal. 245.
 Ah Yew v. Choate, 24 Cal. 562.
 Alford v. Barnum, 45 Cal. 42.
 McLaughlin v. Powell, 50 Cal. 64.
 Secretary Interior, March 4, 1879, 6 Copp's L. O. 4.
 Secretary Interior, Dec. 22, 1879, 7 Copp's L. O. 23.
 Com'r G. L. O., July 29, 1875, 2 Copp's L. O. 22.
 Com'r G. L. O., Sept. 20, 1879, 7 Copp's L. O. 4.
 Com'r G. L. O., March 11, 1872, Copp's Mg. Dec. 304.
 Com'r G. L. O., circular, April 28, 1880.

Tailings:

- Logan v. Driscoll, 19 Cal. 623.
 Lincoln v. Rodgers, 1 Montana, 217.
 Nelson v. O'Neal, 1 Montana, 284.
 Gregory v. Harris, 43 Cal. 38.
 Stone v. Bumpus, 46 Cal. 218.
 Rogers v. Cooney, 7 Nev. 213.

Taxation, liability to:

- Forbes v. Gracey, 4 Otto, 762.
 Hale & Norcross v. Storey Co., 1 Nev. 104.
 People v. Logan, 1 Nev. 109.
 State v. Moore, 12 Cal. 56.

Transfers:

- Mining Co. v. Taylor, 10 Otto, 37.
 Kinney v. Con. Va. Mg. Co., 4 Saw. C. C. 382.
 Phillipotts v. Blandell, 8 Nev. 61.
 Weill v. Lucerne Co., 11 Nev. 200.
 Sullivan v. Hense, 2 Colo. 424.
 McCarron v. O'Connell, 7 Cal. 152.
 Clark v. McElroy, 11 Cal. 154.
 Attwood v. Fricot, 17 Cal. 38.
 Gore v. McBrayer, 18 Cal. 582.
 Tunnel Co. v. Stranahan, 20 Cal. 198.
 Gatewood v. McLaughlin, 23 Cal. 178.
 Antonio Co. v. Ridge Co., 23 Cal. 219.
 Draper v. Douglas, 23 Cal. 347.
 Patterson v. Keystone Co., 23 Cal. 575.
 Richardson v. McNulty, 24 Cal. 339.
 Cary v. Campbell, 24 Cal. 634.
 Copper Hill Mg. Co. v. Spencer, 25 Cal. 18.
 St. John v. Kidd, 26 Cal. 264.
 Duryea v. Burt, 28 Cal. 569.
 Hess v. Winder, 30 Cal. 349.
 Patterson v. Keystone Mg. Co., 30 Cal. 360.
 Guller v. Fett, 30 Cal. 451.
 Settembre v. Putnam, 30 Cal. 490.
 King v. Randlett, 33 Cal. 318.
 Hardenburgh v. Bacon, 33 Cal. 356.
 Blodgett v. Potosi Mg. Co., 34 Cal. 227.
 Felger v. Coward, 35 Cal. 650.
 Myers v. Farquharson, 46 Cal. 190.

Tunnels, rights of owners to:

- Tunnel Co. v. Pell, 4 Colo. 507.
 Com'r G. L. O., Sept. 20, 1872, J. B. Chaffee, Copp's Mg. Dec. 144.
 Com'r G. L. O., April 15, 1873, G. P. Idrie, Copp's Mg. Dec. 193.
 Com'r G. L. O., Aug. 1, 1873, L. S. David, Copp's Mg. Dec. 215.
 Com'r G. L. O., Nov. 3, 1876, Corning Tunnel Co., 3 Copp's L. O. 130.
 Com'r G. L. O., Aug. 31, 1877, Surv.-Gen. Colorado, 4 Copp's L. O. 102.
 Com'r G. L. O., Oct. 12, 1878, David Hunter, 5 Copp's L. O. 130.

MISSISSIPPI RIVER—

- Schurmeir v. St. P. & P. R. R. Co., 7 Wall. 272.
 United States v. M. & St. P. R. R., 5 Bissell, C. C. 410.
 The Clinton Bridge, 1 Woolw. C. C. 150.
 Northern Union Packet Co. v. Atlee, 2 Dillon, C. C. 479.
 Depew v. Board of Trustees, 5 Ind. 8.
 Naderhouser v. The State, 28 Ind. 257.
 Middleton v. Pritchard, 4 Illa. 510.

MISSISSIPPI RIVER—Continued.

- The People v. St. Louis, 10 Illa. 351.
 Lovington v. Co. of St. Clair, 64 Illa. 56.
 Houck v. Yates, 82 Illa. 189.
 Moore v. Sanborne, 2 Mich. 520.
 Castner v. The Steamboat, 1 Minn. 73.
 Schurmeir v. St. P. & P. R. R. Co., 10 Minn. 82.
 Riffe v. C. D. & M. R. R. Co., 23 Minn. 18.
 Brisbane v. St. P. & P. R. R. Co., 23 Minn. 114.
 McMannus v. Carmichael, 3 Iowa, 11.
 Haight v. City of Keokuk, 4 Iowa, 405.
 Boynton v. Miller, 22 Iowa, 579.
 Tomlin v. Dubuque and B. & M. R. R. R. Cos., 32 Iowa, 106.
 DeArmas v. Mayor New Orleans, 5 La. 132.
 Boykin v. Shaffer, 13 La. Ann. 129.

MISSOURI RIVER—

- Benson v. Marrow, 61 Mo. 345.
 Holbrook v. Moore, 4 Neb. 437.
 Com'r G. L. O., *ex parte* Taylor *et al.*, Nov. 5, 1874, 1 Copp's L. O. 155.

MOBILE, TOWN OF—

- Pollard's heirs v. Kibbe, 14 Pet. 353.
 Mobile v. Eslava, 16 Pet. 234.
 Mobile v. Hallett, 16 Pet. 261.
 Pollard v. Files, 2 How. 591.
 Lewis v. Goquette, 3 Stew. & Port. (Ala.) 61.
 Mobile v. Eslava, 9 Port. (Ala.) 577.
 Mayor of Mobile v. Farmer's heirs, 6 Ala. 738.
 Baker v. Heirs of Chastang, 18 Ala. 417.
 Com'r G. L. O., instructions, March 10, 1831, 2 L. I. & O. 550.
 Com'r G. L. O., instructions, May 1, 1835, 2 L. I. & O. 757.
 Com'r G. L. O., instructions, July 27, 1834, 2 L. I. & O. 841.

NAVIGABLE AND NON-NAVIGABLE RIVERS, LAKES, SHORES, AND WATER-COURSES—*Rights of States over navigable waters, and the soil thereunder:*

- Martin v. Waddell, 16 Pet. 367.
 Pollard's lessee v. Hagan, 3 How. 212.
 Goodtitle v. Kibbe, 9 How. 471.
 Hallett v. Beebe, 13 How. 25.
 Withers v. Buckley, 20 How. 85.
 The Daniel Ball, 10 Wall. 557.
 The Montello, 11 Wall. 411.
 The Montello, 20 Wall. 430.
 Spooner v. McConnell, 1 McLean, C. C. 337.
 Palmer v. Com'rs of Cuyahoga Co., 3 McLean, C. C. 226.
 Woodman v. Kilbourn Mfg. Co., 1 Bissell, C. C. 546.
 Grifling v. Gibb, 1 McAllister, C. C. 212.
 Woodman v. Kilburn Mfg. Co., 1 Abbott (U. S.) 158.
 Cox v. The State, 3 Blackf. (Ind.) 8.
 Williams v. Bradley, 2 Ind. 591.
 Depew v. Board of Trustees, &c., 5 Ind. 8.
 Board of Com'rs v. Pidge, 5 Ind. 13.
 Naderhouser v. The State, 28 Ind. 257.
 The People v. St. Louis, 10 Illa. 351.
 Illinois River Packet Co. v. Peoria, &c., 38 Illa. 467.
 Chicago v. McGinn, 50 Illa. 266.
 Houck v. Yates, 82 Illa. 179.
 People v. Tyler, 7 Mich. 160.
 Bay Harbor Co. v. Council, &c., Walker's Chan. Rep. (Mich.) 153.
 Jones v. Pettibone, 2 Wis. 308.
 Wis. Imp. Co. v. Monson, 43 Wis. 255.
 United States v. Fanning, Morris (Iowa), 348.
 Boykin v. Shaffer, 13 La. Ann. 129.
 City of Mobile v. Eslava, 9 Port. (Ala.) 577.
 Pollard's heirs v. Files, 3 Ala. 47.
 Pollard's heirs v. Greit *et al.*, 8 Ala. 930.
 Kennedy v. Beebe *et al.*, 8 Ala. 909.
 Hinman v. Warren, 6 Oreg. 408.
 Eldred v. Cowell, 4 Cal. 80.
 Guy v. Hermann, 5 Cal. 73.
 Teschemacher v. Thompson, 18 Cal. 11.
 Farish v. Coon, 40 Cal. 33.
 Com'r G. L. O., *ex parte* Bradley, Feb. 20, 1874, Copp's L. L. 763.

NAVIGABLE AND NON-NAVIGABLE RIVERS, LAKES, SHORES, AND WATER-COURSES—Continued.

Rights of States over navigable waters, and the soil thereunder:

Com'r G. L. O., *ex parte* Taylor *et al.*, Nov. 5, 1874, 1 Copp's L. O. 155.

Rights of adjoining proprietors:

Bowman v. Wathen, 2 McLean, C. C. 376.
Leigh v. Holt, 5 Bissell, C. C. 338.
Forsyth v. Small, 7 Bissell, C. C. 201.
Avery v. Fox, 1 Abbott, (U. S.) 246.
Gavit v. Chambers, 3 Ohio, 496.
Walker v. Board of Public Works, 16 Ohio, 540.

Hubbard v. City of Toledo, 21 Ohio St. 379.

Bainbridge v. Shillock, 29 Ind. 364.

Bainbridge v. Shillock, 41 Ind. 35.

Middleton v. Pritchard, 4 Ills. 510.

The People v. St. Louis, 10 Ills. 351.

Hubbard v. Bell, 54 Ills. 110.

Lovington v. Co. of St. Clair, 64 Ills. 56.

Baxon v. Bressler, 64 Ills. 588.

Ryan v. Brown, 18 Mich. 196.

Watson v. Peters, 26 Mich. 508.

Att'y-Gen'l v. Evert Booming Co., 34 Mich. 462.

Jones v. Pettibone, 2 Wis. 308.

Wright v. Day, 33 Wis. 260.

Oleson v. Merrill, 42 Wis. 203.

Deleplaine v. C. & N. W. R. R. Co., 42 Wis. 214.

Diedrich v. C. & N. W. R. R. Co., 42 Wis. 248.

Stevens' Point Boom Co. v. Reilley, 44 Wis. 295.

Stevens' Point Boom Co. v. Reilley, 46 Wis. 237.

McManus v. Carmichael, 3 Iowa, 11.

Musser v. Hershey, 42 Iowa, 356.

Holstein v. Henderson, 12 Martin (La.) 319.

Benson v. Morrow, 61 Mo. 345.

Dana v. Jackson St. Wharf Co., 31 Cal. 118.

Taylor v. Underhill, 40 Cal. 471.

Hanson v. McCune, 42 Cal. 303.

Secretary Interior, *ex parte* Macomber, Feb. 2, 1880, 7 Copp's L. O. 57.

Com'r G. L. O., *ex parte* Bradley, Feb. 20, 1874, Copp's L. L. 763.

Com'r G. L. O., *ex parte* Taylor *et al.*, Nov. 5, 1874, 1 Copp's L. O. 155.

Rights of the public:

Leigh v. Holt, 5 Bissell C. C. 338.

Forsyth v. Small, 7 Bissell C. C. 201.

Woodman v. Kilbourn, 1 Abbott (U. S.) 158.

Avery v. Fox, 1 Abbott (U. S.) 246.

Porter v. Allen, 8 Ind. 1.

Bainbridge v. Shillock, 29 Ind. 364.

Bainbridge v. Shillock, 41 Ind. 35.

Illinois River Packet Co. v. Peoria, & Co., 38 Ills. 467.

Chicago v. McGinn, 50 Ills. 266.

Moore v. Sanborne, 2 Mich. 520.

Lorman v. Benson, 8 Mich. 18.

Ryan v. Brown, 18 Mich. 196.

Att'y-Gen'l v. Evert Booming Co., 34 Mich. 462.

Oleson v. Merrill, 42 Wis. 203.

Deleplaine v. C. & N. W. R. R. Co., 42 Wis. 214.

Castner v. The Steamboat, 1 Minn. 73.

Steamboat Globe v. Kurtz, 4 Greene (Iowa), 433.

Duverge v. Salter, 6 La. Ann. 450.

O'Fallen v. Doggett, 4 Mo. 209.

Weise v. Smith, 3 Oreg. 445.

Felyer v. Robinson, 3 Oreg. 455.

American River Water Co. v. Amaden, 6 Cal. 443.

County of Yolo v. City of Sacramento, 36 Cal. 193.

Brown v. Kentfield, 50 Cal. 129.

Com'r G. L. O., *ex parte* Bradley, Feb. 20, 1874, Copp's L. L. 763.

Survey of, &c:

Secretary Interior, *ex parte* Macomber, Feb. 2, 1880, 7 Copp's L. O. 57.

Com'r G. L. O., instructions, May 23, 1825, 2 L. I. & O. 850.

NAVIGABLE AND NON-NAVIGABLE RIVERS, LAKES, SHORES, AND WATER-COURSES—Continued.

Survey of, &c:

Com'r G. L. O., instructions, July 28, 1831, 2 L. I. & O. 915.

Com'r G. L. O., circular, July 13, 1874, Copp's L. L. 765.

Com'r G. L. O., circular, Dec. 1, 1874, Copp's L. L. 766.

Com'r G. L. O., Wolf Lake, Feb. 12, 1878; 5 Copp's L. O. 19.

NEW ENGLAND MISSISSIPPI LAND COMPANY—

Gilman v. Brown, 4 Wheat. 255.

Brown v. Jackson, 7 Wheat. 218.

Gilman v. Brown, 1 Mason, C. C. 191.

NEW MADRID CERTIFICATES—

Bagnell v. Broderick, 13 Pet. 436.

Stoddard v. Chambers, 2 How. 285.

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Menard's heirs v. Massey, 8 How. 293.

Bissell v. Penrose, 8 How. 317.

Mills v. Stoddard, 8 How. 345.

Easton v. Salisbury, 21 How. 421.

Fenn v. Holme, 21 How. 481.

Hale v. Gaines *et al.*, 22 How. 144.

Rector v. Ashley, 6 Wall. 142.

Mackey v. Easton, 19 Wall. 619.

Rector v. United States, 2 Otto, 698.

Mackey v. Eaton, 2 Dillon, C. C. 41.

Rector v. Gaines, 19 Ark. 70.

Ashley v. Rector, 20 Ark. 359.

Rector & Gaines v. Hale, 26 Ark. 168.

Rector v. Hatch, 1 Mo. 333.

Stuart v. Rector, 1 Mo. 361.

Hickman v. Gow, 1 Mo. 274.

Bryan v. Wear, 4 Mo. 106.

Mullanphy v. Redman, 4 Mo. 226.

Wear v. Bryant, 5 Mo. 147.

Barry v. Gamble, 8 Mo. 98.

Kirk v. Green, 10 Mo. 161.

Leslie v. Price, 12 Mo. 14.

Cabunne v. Lindell, 12 Mo. 184.

Kennett v. Cole, 13 Mo. 139.

Ashley v. Turley, 13 Mo. 430.

Morgan v. Rutgers, 14 Mo. 585.

McGill v. Somers, 15 Mo. 80.

Easton v. Salisbury, 23 Mo. 100.

Mitchell v. Parker, 25 Mo. 31.

Lee v. Parker, 25 Mo. 35.

Gray v. Gives, 26 Mo. 291.

Holme v. Strautman, 35 Mo. 293.

Clarke v. Hammerle, 36 Mo. 620.

McCamant v. Patterson, 39 Mo. 100.

Gibson v. Choteau, 39 Mo. 536.

1 Op. Att. Gen. 163, 373, 458, 534; 2 *id.* 15; 2 L. I. & O. 14.

Secretary Treasury, instructions, March 13, 1829, 2 L. I. & O. 298.

Com'r G. L. O., instructions, Oct. 6, 1815, 2 L. I. & O. 285.

Com'r G. L. O., instructions, May 2, 1818, 2 L. I. & O. 291.

Com'r G. L. O., instructions, July 5, 1820, 2 L. I. & O. 303.

Com'r G. L. O., instructions, Aug. 8, 1823, 2 L. I. & O. 371.

Com'r G. L. O., instructions, July 10, 1816, 2 L. I. & O. 815.

Com'r G. L. O., instructions, April 15, 1817, 2 L. I. & O. 818.

Com'r G. L. O., instructions, July 5, 1820, 2 L. I. & O. 820.

Com'r G. L. O., instructions, Sept. 2, 1820, 2 L. I. & O. 822.

Com'r G. L. O., instructions, July 24, 1823, 2 L. I. & O. 828.

Com'r G. L. O., instructions, Feb. 18, 1837, 2 L. I. & O. 975.

NEW ORLEANS, CITY OF—

New Orleans v. United States, 10 Pet. 662.

Mayor of New Orleans v. Casteres, 3 Martin (La.) 675.

Mayor of New Orleans *et al.* v. Piquet, 2 La. 474.

DeArmas v. Mayor of New Orleans, 5 La. 132.

Villors v. Kennedy, 5 La. Ann. 724.

NEW ORLEANS, CITY OF—*Continued.*

1 Op. Att. Gen. 350; 2 *id.* 586.
Secretary Interior, *ex parte* Clark, Jan. 5,
1871, Copp's L. L. 494.

NORTHWEST TERRITORIES—

Hughes v. Trustees of Clarksville, 6 Pet.
369.

Doddridge v. Thompson, 9 Wheat. 469.
Spooner v. McConnell, 1 McLean, C. C. 337.
Woodman v. Kilbourn Mfg. Co., 1 Abbott
(U. S.) 158.

Doe v. Hill, Breese (Ills.) 236.
Secretary Treasury, instructions, Oct. 5,
1796, 2 L. I. & O. 219.

Secretary Treasury, instructions, Oct. 5,
1796, 2 L. I. & O. 220.

Secretary Treasury, instructions, Aug. 9,
1803, 2 L. I. & O. 234.

NOTICE AND PUBLICATION—

Wilson v. Mason, 1 Cranch, 45.
Bodley v. Taylor, 5 Cranch, 191.

De la Croix v. Chamberlain, 12 Wheat. 599.

Hardy v. Harbin, 1 Saw. C. C. 194.

Le Roy v. Jamison, 3 Saw. C. C. 369.

Schnee v. Schnee, 23 Wis. 377.

Silliman v. King, 36 Iowa, 207.

Beatty v. Michou, 9 La. Ann. 102.

Connoyer v. Schaeffer, 48 Mo. 165.

Fribaugh v. Masterson, 1 Idaho, 153.

Bird v. Dennison, 7 Cal. 997.

Watson v. Robey, 8 Cal. 52.

Scott v. Ward, 13 Cal. 458.

Boggs v. Merced Mining Co., 14 Cal. 279.

Lombardo v. Ferguson, 15 Cal. 372.

Patterson v. Keystone Mining Co., 23 Cal.
575.

Holland v. M. A. Q. M. Co., 53 Cal. 149.

Gelcich v. Moriarity, 33 Cal. 217.

Weill v. Lucerne Mining Co., 11 Nev. 200.

Knevals v. Hyde, U. S. Cir. Ct., Neb., Oct.
1879.

Op. Att. Gen., 2 L. I. & O. 208, 573.

Secretary Interior, University of Cal. v.
Block, Aug. 26, 1874, Copp's L. L. 322.

Secretary Interior, Lompoc contest, July
23, 1873, Copp's L. L. 559.

Secretary Interior, McMurdy *et al.* v. Street-
er *et al.*, April 30, 1874, 1 Copp's L. O. 34.

Secretary Interior, Prince of Wales Lode
et al. v. Highland Chief Lode *et al.*, April
1, 1875, 2 Copp's L. O. 2.

Secretary Interior, Omaha Quartz Mine,
Dec. 1, 1876, 3 Copp's L. O. 163.

Secretary Interior, *ex parte* Clellan, Jan. 30,
1880, 7 Copp's L. O. 35.

Secretary Interior, Eureka Mg. Co. v.
Jenny Lind Mg. Co., Nov. 24, 1873, Copp's
Mg. Dec. 169.

Com'r G. L. O., circular, Dec. 20, 1873,
Copp's L. L. 244.

Com'r G. L. O., circular, June 25, 1869,
Copp's L. L. 249.

Com'r G. L. O., *ex parte* May, Dec. 15, 1874,
Copp's L. L. 251.

Com'r G. L. O., circular, Aug. 17, 1874,
Copp's L. L. 260.

Com'r G. L. O., circular, Jan. 5, 1875, Copp's
L. L. 261.

Com'r G. L. O., circular, Feb. 10, 1870,
Copp's L. L. 403.

Com'r G. L. O., circular, Aug. 21, 1862,
Copp's L. L. 437.

Com'r G. L. O., circular, Sept. 13, 1866,
Copp's L. L. 450.

Com'r G. L. O., circular, March 18, 1870,
Copp's L. L. 452.

Com'r G. L. O., circular, Jan. 15, 1874,
Copp's L. L. 472.

Com'r G. L. O., circular, April 15, 1873,
Copp's L. L. 667.

Com'r G. L. O., circular, Aug. 7, 1872,
Copp's L. L. 705.

Com'r G. L. O., circular, July 20, 1875,
Copp's L. L. 746.

Com'r G. L. O., Jefferson Mg. Co. v. Penn-
sylvania Mg. Co., July 21, 1874, 1 Copp's
L. O. 66.

Com'r G. L. O., McCarter v. Dunn, Jan. 8,
1878, 5 Copp's L. O. 21.

III L O—VOL II

NOTICE AND PUBLICATION—*Continued.*

Com'r G. L. O., *ex parte* McBride, Nov. 12,
1873, Copp's Mg. Dec. 234.

Com'r G. L. O., R. & R., Leadville, Colo.,
Oct. 29, 1879.

NUISANCE—

Eldred v. Ford, 46 Wis. 530.

Park v. Kilham, 8 Cal. 78.

Weimer v. Lowery, 11 Cal. 104.

County of Yolo v. City of Sacramento, 36
Cal. 193.

Brown v. Kentfield, 50 Cal. 129.

OCONTO RIVER—

Leigh v. Holt, 5 Bissell, C. C. 338.

OFFICERS—

Taylor & Quarles v. Brown, 5 Cranch, 234.

Polk's lessee v. Wendal *et al.*, 9 Cranch, 87.

Miller *et al.* v. Kerr *et al.*, 7 Wheat. 1.

Patterson v. Jenks, 2 Pet. 216.

United States v. Tingey, 5 Pet. 115.

United States v. Arredondo, 6 Pet. 691.

Delassus v. United States, 9 Pet. 117.

Strother v. Lucas, 12 Pet. 410.

Kendall v. United States, 12 Pet. 524.

United States v. Fitzgerald, 15 Pet. 407.

Lytle v. Arkansas, 9 How. 314.

Parks v. Ross, 11 How. 362.

Boyden v. Burke, 14 How. 575.

Bryan v. United States, 1 Black, 140.

Secretary v. McGarrahan, 9 Wall. 298.

Marquez v. Frisbie *et al.*, 11 Otto, 473.

Den v. Hill, 1 McAllister, C. C. 480.

5 Op. Att. Gen. 7; 10 *id.* 56; March 20, 1877.

OHIO RIVER—

Porter v. Allen, 8 Ind. 1.

Bainbridge v. Shillock, 29 Ind. 364.

Bainbridge v. Shillock, 41 Ind. 35.

OHIO UNIVERSITY—

Exemption from taxation a legislative contract:

Matthey v. Golden, 5 Ohio St. 361.

PATENTS—

Annuling of:

Dredge v. Forsyth, 2 Black, 563.

Le Roy v. Clayton, 2 Saw. C. C. 493.

Robbins v. Bunn, 54 Ills. 49.

Lott v. Prudhomme, 3 Rob. (La.) 293.

Ball v. Hearne, 10 La. Ann. 515.

Cage v. Danks, 13 La. Ann. 128.

People v. Morrill, 26 Cal. 336.

Semple v. Hagar, 27 Cal. 163.

The People v. Carrick, 51 Cal. 325.

1 Op. Att. Gen. 301, 458; 4 *id.* 120, 149, 558;
13 *id.* 458.

Secretary Interior, *ex parte* Rutland, Feb.
19, 1874, 1 Copp's L. O. 42.

Secretary Interior, Wandering Boy Lode v.
Highland Chief Lode, April 1, 1875, 2
Copp's L. O. 2.

Secretary Interior, Beck v. C. P. R. R., Jan.
30, 1879, 6 Copp's L. O. 5.

Secretary Interior, Buckman v. W. P. R.
R., Feb. 26, 1879, 7 Copp's L. O. 4.

Secretary Interior, Daly v. Weaver, July
17, 1880, 7 Copp's L. O. 88.

Construction of description in:

M'Iver's lessee v. Walker, 9 Cranch, 173.

Newsome v. Pryor's lessee, 7 Wheat. 7.

Boardman v. Lessees of Reed *et al.*, 6 Pet.
328.

Gazzam v. Lessee of Phillips *et al.*, 20 How.
372.

Brown *et al.* v. Huger, 21 How. 305.

Doe *et al.* v. Wilson, 23 How. 457.

McClintock v. Rogers, 11 Ills. 279.

Sawyer v. Cox, 63 Ills. 130.

Fenwick v. Gill, 38 Mo. 510.

Moore v. Massie, 37 Cal. 482.

1 Op. Att. Gen. 323.

Effect of:

Green v. Liler, 8 Cranch, 229.

Polk's lessee v. Wendal, 9 Cranch, 87.

Hoofnagle v. Anderson, 7 Wheat. 212.

Scott's lessee v. Ratliffe, 5 Pet. 81.

Boardman v. Lessees of Reed *et al.*, 6 Pet.
328.

City of New Orleans v. Armas *et al.*, 9 Pet.
223.

Clark v. Smith, 13 Pet. 195.

Bagnell v. Broderick, 13 Pet. 436.

PATENTS—Continued.

Effect of:

Carroll v. Safford, 3 How. 441.
 Ballance v. Forsyth, 13 How. 18.
 Foley v. Harrison, 15 How. 433.
 Lafayette's heirs v. Kenton *et al.*, 18 How. 197.
 Bell v. Hearne, 19 How. 252.
 French v. Spencer, 21 How. 228.
 Hooper *et al.* v. Schelmer, 21 How. 235.
 Mehan *et al.* v. Forsyth, 24 How. 175.
 Gregg v. Tesson, 1 Black, 150.
 Crews v. Burcham, 1 Black, 352.
 Drodge v. Forsyth, 2 Black, 563.
 Stark v. Starra, 6 Wall. 402.
 Railroad Company v. Prescott, 16 Wall. 603.
 Branson v. Wirth, 17 Wall. 32.
 Shepley v. Cowan, 1 Otto, 330.
 Moore v. Robbins, 6 Otto, 530.
 Cowell v. Springs Company, 10 Otto, 55.
 Simmons v. Wagner, 11 Otto, 260.
 Adams v. Burke, 3 Saw. C. C. 415.
 Wythe v. Haskell, 3 Saw. C. C. 574.
 Ballance v. Forsyth, 6 McLean, C. C. 562.
 Mackey v. Eaton, 2 Dillon, C. C. 41.
 Hicks v. Batrick, 3 Dillon, C. C. 413.
 Huldekoper v. Burrus, 1 Wash. C. C. 109.
 Hastings v. Stevenson, 2 Ohio, 9.
 Smith v. Stark, 7 Ohio, 551.
 Bell v. Duncan, 11 Ohio, 192.
 Strong v. Lehmer, 10 Ohio St. 93.
 Moore v. Hunter, 6 Ills. 317.
 Cook v. Foster, 7 Ills. 652.
 Grantham v. Atkins, 63 Ills. 359.
 Chapin v. Dewry, 9 Mich. 381.
 Clark v. Hall, 19 Mich. 356.
 Johnson v. Ballou, 28 Mich. 379.
 Sands v. Davis, 40 Mich. 14.
 Jackson v. Astor, 1 Pinney (Wis.) 137.
 Parkinson v. Brocken, 1 Pinney (Wis.) 174.
 Reynolds v. Weis, 27 Wis. 450.
 Cavender v. Smith, 3 Greene (Iowa), 349.
 Cavender v. Heirs of Smith, 5 Iowa, 157.
 Fisher v. Wisner, 34 Iowa, 447.
 Waters v. Bush, 42 Iowa, 255.
 Rankin v. Miller, 43 Iowa, 11.
 Downes v. Scott, 3 Rob. (La.) 84.
 McGill v. McGill, 4 La. Ann. 262.
 Terry v. Acunen, 4 La. Ann. 458.
 Foley v. Harrison, 5 La. Ann. 75.
 Pepper v. Dunlap, 9 La. Ann. 137.
 Kittridge v. Herbert, 9 La. Ann. 154.
 Leblanc v. Ludrique, 14 La. Ann. 772.
 Steinspring v. Bennett, 16 La. Ann. 201.
 Goodlet v. Smithson, 5 Port. (Ala.) 245.
 Jones v. Iuge, 5 Port. (Ala.) 37.
 Bullock v. Wilson, 5 Port. (Ala.) 338.
 Hines v. Greenlee, 3 Ala. 73.
 Rains v. Ware & Warren, 10 Ala. 623.
 Stephens v. Westwood, 20 Ala. 275.
 Wynn v. Morris, 16 Ark. 414.
 Sarpy v. Papin, 7 Mo. 503.
 Barry v. Gamble, 8 Mo. 88.
 Carmen v. Johnson, 20 Mo. 108.
 Hill v. Miller, 36 Mo. 182.
 Summers v. Spybuck, 1 Kans. 394.
 Starr v. Stark, 2 Oreg. 118.
 White v. Allen, 3 Oreg. 103.
 Gold Hill & Mg. Co. v. Ish, 5 Oreg. 104.
 Yount v. Howell, 14 Cal. 465.
 Natoma Water Co. v. Clarkin, 14 Cal. 543.
 Stark v. Barrett, 15 Cal. 362.
 Doll v. Meador, 15 Cal. 296.
 Teschemaker v. Thompson, 18 Cal. 11.
 Fremont v. Seals, 18 Cal. 433.
 Leese v. Clark, 18 Cal. 535.
 Touchard v. Crow, 20 Cal. 150.
 Leese v. Clark, 20 Cal. 388.
 Clark v. Lockwood, 21 Cal. 220.
 Galup v. Armstrong, 22 Cal. 480.
 Ah Yew v. Choate, 24 Cal. 562.
 People v. Stratton, 25 Cal. 242.
 Bond v. Hickman, 32 Cal. 202.
 Megerle v. Ashe, 33 Cal. 74.
 Keeran v. Allen, 33 Cal. 542.
 Keeran v. Griffith, 34 Cal. 580.
 Hestres v. Brennan, 37 Cal. 385.
 Miller v. Little, 47 Cal. 341.

PATENTS—Continued.

Effect of:

Cruz v. Martinez, 53 Cal. 239.
 Vansickle v. Haines, 7 Nev. 249.
 3 Op. Att. Gen. 240; 7 *id.* 630; 2 L. I. & O. 95.
 Secretary Interior, Dec. 23, 1851, 1 Lester, 549.
 Secretary Interior, Beck v. C. P. R. R. Co., Jan. 30, 1879, 6 Copp's L. O. 5.
 Com'r G. L. O., June 21, 1876, 3 Copp's L. O. 50.
 Com'r G. L. O., Bellows *et al.*, March 26, 1877, 4 Copp's L. O. 17.

Fraud:

United States v. Hughes, 11 How. 552.
 Field v. Seabury, 19 How. 323.
 Garland v. Wynn, 20 How. 6.
 Arnold v. Grimes, 2 Greene (Iowa), 77.
 Bisson v. Curry, 35 Iowa, 72.
 Wynn v. Garland, 16 Ark. 440.
 Stephenson v. Smith, 7 Mo. 610.
 Morgan v. Rutgers, 14 Mo. 585.
 Hill v. Miller, 36 Mo. 182.
 Starr v. Stark, 2 Oreg. 118.
 1 Op. Att. Gen. 699; 3 *id.* 259.
 Secretary Interior, *ex parte* Grawell, Jan. 14, 1873 Copp's L. L. 815.

In case of deceased persons:

Galloway v. Finley, 12 Pet. 264.
 Morehouse v. Phelps, 21 How. 294.
 Davenport v. Lamb *et al.*, 13 Wall. 418.
 Lewis v. Baird, 3 McLean, C. C. 56.
 Schedd v. Sawyer, 4 McLean, C. C. 181.
 Gray v. Coffman, 3 Dillon, C. C. 393.
 Lamb v. Starr, 1 Dundy, C. C. 447.
 Reeder v. Barr, 4 Ohio, 449.
 Wallace v. Miner, 7 Ohio, 249.
 Jackson v. Williams, 10 Ohio, 69.
 Sullivant v. Weaver, 10 Ohio, 275.
 Barnes v. Ware, 10 Ohio, 463.
 Trumble v. Boothby, 14 Ohio, 109.
 Stubblefield v. Boggs, 2 Ohio St. 216.
 Wood v. Ferguson, 7 Ohio St. 288.
 Drennens v. Walker, 21 Ark. 539.
 Thompson v. Renoe, 12 Mo. 157.
 Chant v. Reynold, 49 Cal. 213.
 1 Op. Att. Gen., 361, 458.
 Secretary Interior, *ex parte* Dillon, Nov. 3, 1871, Copp's L. L. 245.
 Com'r G. L. O., May 25, 1831, 2 L. I. & O. 445.
 Com'r G. L. O., circular, June 17, 1875, Copp's L. L. 190.
 Com'r G. L. O., *ex parte* Hubbell, Sept. 25, 1874, Copp's L. L. 246, 654.
 Com'r G. L. O., *ex parte* Johannesen, July 25, 1877, 4 Copp's L. O. 108.

Issuance of:

United States v. The Commissioner, 5 Wall. 563.
 Le Roy v. Jamison, 3 Saw. C. C. 369.
 S. C. & P. R. R. Co. v. U. P. R. R. Co., 4 Dillon, C. C. 307.
 United States v. B. & M. R. R. Co., 4 Dillon, C. C. 397.
 Ballance v. McFadden, 12 Ills. 317.
 Schnee v. Schnee, 23 Wis. 377.
 Ludeling v. Vester, 20 La. Ann. 433.
 Innerarity v. Mim's heirs, 1 Ala. 660.
 Allison v. Hunter, 9 Mo. 749.
 Thomas v. Wyatt, 31 Mo. 188.
 Steeple v. Downing, 60 Ind. 478.
 Smith v. Pipe, 3 Colo. 187.
 Dolph v. Barney, 5 Oreg. 181.
 Moore v. Smaw, 17 Cal. 199.
 Middleton v. Low, 30 Cal. 596.
 Collins v. Bartlett, 44 Cal. 371.
 Miller v. Ellis, 51 Cal. 74.
 Houghton v. Hardenburg, 53 Cal. 181.
 1 Op. Att. Gen. 44, 45, 191, 323, 361, 424, 718;
 2 *id.* 15, 41, 53, 186, 276, 501; 3 *id.* 93, 102,
 140, 167, 350, 623, 630, 653; 4 *id.* 150, 319, 329;
 5 *id.* 7, 628; 7 *id.* 491; 13 *id.* 113; 2 L. I.
 & O. 8, 95, 96, 214, 224, 292, 356, 752, 753.
 Secretary Interior, *ex parte* Rainbolt, Sept. 28, 1859, 1 Lester, 456.
 Secretary Interior, *ex parte* Lowther, April 15, 1851, 1 Lester 611.

PATENTS—Continued.

Issuance of:

Secretary Interior, *Bissell v. Ferris*, Oct. 7, 1858, 1 *Lester*, 665.
 Secretary Interior, *ex parte Clark*, Jan. 5, 1871, *Copp's L. L.* 494.
 Secretary Interior, *ex parte McGarrahan*, Aug. 4, 1871, *Copp's L. L.* 532.
 Secretary Interior, *ex parte Pueblo lands*, Feb. 15, 1872, *Copp's L. L.* 547.
 Secretary Interior, *Beaubien & Miranda*, July 20, 1871, *Copp's L. L.* 605.
 Secretary Interior, *Rancho Los Trigos*, Feb. 28, 1874, *Copp's L. L.* 607, 611.
 Secretary Interior, *Harmon v. C. R. & M. R. R.*, August 11, 1876, 3 *Copp's L. O.* 86.
 Secretary Interior, *City of Grantsville v. McBride*, 8 *Copp's L. O.* 109.
 Secretary Interior, *Scrogin v. Culver*, Dec. 22, 1879, 7 *Copp's L. O.* 23.
 Secretary Interior, *Whitaker v. S. P. R. R.*, July 27, 1880, 7 *Copp's L. O.* 85.
 Com'r G. L. O., circular, Nov. 1, 1858, 1 *Lester*, 608.
 Com'r G. L. O., circular, June 17, 1875, *Copp's L. L.* 190.
 Com'r G. L. O., *ex parte Nelson*, March 28, 1874, *Copp's L. L.* 232.
 Com'r G. L. O., *ex parte Hornick*, March 11, 1874, *Copp's L. L.* 253.
 Com'r G. L. O., *M. K. & T. R. R. v. Brock*, July 17, 1873, *Copp's L. L.* 389.
 Com'r G. L. O., circular, July 20, 1875, *Copp's L. L.* 491.
 Com'r G. L. O., *Rancho Guadalupe*, June 12, 1872, *Copp's L. L.* 550.
 Com'r G. L. O., circular, Oct. 30, 1873, *Copp's L. L.* 647.
 Com'r G. L. O., circular, April 15, 1873, *Copp's L. L.* 670.
 Com'r G. L. O., circular, July 20, 1875, *Copp's L. L.* 732.
 Com'r G. L. O., circular, *Rancho Ballona*, Jan. 3, 1874, 1 *Copp's L. O.* 5.
 Com'r G. L. O., *Rancho La Liebra*, 3 *Copp's L. O.* 133.
 Com'r G. L. O., *ex parte Price*, Aug. 27, 1877, 4 *Copp's L. O.* 90.
 Com'r G. L. O., *Kendricks*, April 3, 1880, 7 *Copp's L. O.* 69.

Jurisdiction over, in equity:

Cunningham v. Ashley, 14 *How.* 377.
Field v. Seabury, 19 *How.* 323, 333.
United States v. Stone, 2 *Wall.* 525.
Hughes v. United States, 4 *Wall.* 232.
Minnesota v. Bachelder, 1 *Wall.* 109.
Silver v. Ladd, 7 *Wall.* 219.
Johnson v. Towseley, 13 *Wall.* 72.
Moore v. Robbins, 6 *Otto*, 530.
Le Roy v. Clayton, 2 *Saw. C. C.* 493.
McGhee v. Wright, 16 *Ills.* 535.
Lamont v. Stimson, 3 *Wis.* 545.
Bisson v. Curry, 35 *Iowa*, 72.
 1 *Op. Att. Gen.* 300; 3 *id.* 240; 4 *id.* 120.

Reservations in:

Secretary Interior, *Sutro Tunnel Co. v. Occidental Mg. Co.*, Aug. 30, 1878, 5 *Copp's L. O.* 98.
 Secretary Interior, *Adelaide Mg. Co. v. Camp Bird Lode*, July 21, 1879, 6 *Copp's L. O.* 73.
 Com'r G. L. O., *Portland City*, Oct. 15, 1858, 1 *Lester*, 437.
 Com'r G. L. O., circular, April 26, 1865, *Copp's L. L.* 664.
 Com'r G. L. O., *Turner, Lang et al.*, June 16, 1873, *Copp's L. L.* 698.
 Com'r G. L. O., *Seven-Thirty v. Hercules Lode*, Aug. 17, 1874, 1 *Copp's L. O.* 82.
 Com'r G. L. O., *The Four-Twenty Mg. Co. v. Bullion Mg. Co.*, March 22, 1875, 2 *Copp's L. O.* 5.
 Com'r G. L. O., *H. F. Page*, July 20, 1875, 2 *Copp's L. O.* 82.
 Com'r G. L. O., *Town-site Central City*, Dec. 22, 1875, 2 *Copp's L. O.* 150.
 Com'r G. L. O., *J. B. Belford*, Feb. 25, 1876, 2 *Copp's L. O.* 178.

PATENTS—Continued.

Reservations in:

Com'r G. L. O., *Sutro Tunnel*, May 27, 1876, 3 *Copp's L. O.* 34.
 Com'r G. L. O., *Town-site Butte*, Nov. 23, 1876, 3 *Copp's L. O.* 131.
 Com'r G. L. O., *Town-site Coalville*, April 9, 1877, 4 *Copp's L. O.* 46.
 Com'r G. L. O., *Town-site Silver Cliff*, Dec. 18, 1879, 6 *Copp's L. O.* 152.

Second patents:

4 *Op. Att. Gen.* 558; 5 *id.* 7.
 Secretary Interior, *Rancho La Carbonera*, March 21, 1873, *Copp's L. L.* 567.
 Secretary Interior, *Harbinson v. C. & O. R. R. Co.*, 3 *Copp's L. O.* 53.
 Secretary Interior, *State of Iowa v. R. R. Cos.*, Aug. 24, 1876, 3 *Copp's L. O.* 84.
 Secretary Interior, *ex parte McLeod*, Sept. 12, 1877, 4 *Copp's L. O.* 117.
 Secretary Interior, *Streeter v. M. K. & T. R. R.*, Oct. 12, 1877, 4 *Copp's L. O.* 180.
 Secretary Interior, *Rancho Cuyama*, Dec. 19, 1878, 6 *Copp's L. O.* 127.
 Secretary Interior, *Buckman v. W. P. R. R.*, Feb. 20, 1879, 7 *Copp's L. O.* 4.
 Com'r G. L. O., *ex parte Gilson*, May 28, 1877, 4 *Copp's L. O.* 50.

Virginia lands, patents for:

Taylor & Quarles v. Brown, 5 *Cranch*, 234.
Green v. Lister, 8 *Cranch*, 229.
Hoofnagle v. Anderson, 7 *Wheat*, 212.
Stephens v. McCargo, 9 *Wheat*, 502.
Gouverneur's heirs v. Robertson, 11 *Wheat*, 332.
Chinoweth v. Haskell's lessee, 3 *Pet.* 92.
Stringer v. Young's lessee, 3 *Pet.* 320.
Galloway v. Finley, 12 *Pet.* 264.
Brush v. Ware, 15 *Pet.* 93.
Brown et al. v. Huger, 21 *How.* 305.
Brush v. Ware, 1 *McLean, C. C.* 523.
Groynue v. Niswanger, 15 *Ohio*, 367.
 7 *Op. Att. Gen.* 159; 2 *id.* 280.
 Com'r G. L. O., *ex parte Kendrick*, April 3, 1880, 7 *Copp's L. O.* 69.

When conclusive and when impeachable:

Patterson v. Winn, 11 *Wheat* 380.
Stringer v. Young's lessee, 3 *Pet.* 320.
Boardman v. Lessees of Reed et al., 6 *Pet.* 328.
Minter v. Crommelin, 18 *How.* 87.
Field v. Seabury, 19 *How.* 323, 333.
Doe et al. v. Wilson, 23 *How.* 457.
Crews v. Burcham, 1 *Black*, 352.
French v. Fyan, 3 *Otto*, 169.
Sherman v. Buick, 3 *Otto*, 209.
Le Roy v. Clayton, 2 *Saw. C. C.* 493.
Patterson v. Tatum, 3 *Saw. C. C.* 164.
Chapman v. School Dist. No. 1, 1 *Deady C. C.* 108.
Bruckner v. Lawrence, 1 *Doug. (Mich.)* 19.
Hedley v. Leonard, 35 *Mich.* 71.
Parkinson v. Brocken, 1 *Pinney, (Wis.)* 174.
Schnee v. Schnee, 23 *Wis.* 545.
Arnold v. Grimes, 2 *Green (Iowa)*, 77.
Combs v. Dodd, 4 *Rob. (La.)* 58.
Jenkins v. Gibson, 3 *La. Ann.* 203.
Ford v. Moraney, 14 *La. Ann.* 77.
Masters v. Eustis, 3 *Port. (Ala.)* 368.
Allison v. Hunter, 9 *Mo.* 749.
The State v. L. C. & P. R. R. Co., 7 *Neb.* 357.
Starr v. Stark, 2 *Oreg.* 118.
Lee v. Summers, 2 *Oreg.* 260.
Waterman v. Smith, 13 *Cal.* 373.
Mott v. Smith, 16 *Cal.* 534.
Ely v. Frisbie, 17 *Cal.* 250.
Rhodes v. Craig, 21 *Cal.* 419.
Rico v. Spencer, 21 *Cal.* 504.
Megerle v. Asho, 27 *Cal.* 332.
Rondell v. Fay, 32 *Cal.* 354.
Smith v. Athern, 31 *Cal.* 506.
Durfee v. Plaisted, 38 *Cal.* 80.
Burnell v. Ham, 40 *Cal.* 373.
Reed v. Caruthers, 47 *Cal.* 181.
McGarrahan v. The Idria Mg. Co., 49 *Cal.* 331.

When void:

Polk's lessee v. Wendal, 9 *Cranch*, 87.

PATENTS—Continued.

When void :

- Danford v. Wear, 9 Wheat. 673.
 Patterson v. Jenks, 2 Pet. 216.
 Stoddard v. Chambers, 2 How. 284.
 Brown's lessee v. Clements, 3 How. 650.
 Morton v. Nebraska, 21 Wall. 660.
 Sherman v. Buick, 3 Otto, 209.
 Wirth v. Branson, 8 Otto, 118.
 Chapman v. School Dist. No. 1, 1 Deady, C. C. 108.
 Milliker v. Starling, 16 Ohio, 61.
 Stubblefield v. Boggs, 2 Ohio St. 216.
 Stockton v. Williams, 1 Doug. (Mich.) 546.
 Rankin v. Miller, 43 Iowa, 11.
 McGill v. McGill, 4 La. Ann. 262.
 Pollard's heirs v. Files, 3 Ala. 47.
 Pollard's heirs v. Greit, 8 Ala. 930.
 Harrold v. Simonds, 9 Mo. 326.
 Perry v. O'Hanlon, 11 Mo. 373.
 Morgan v. Rutgers, 14 Mo. 585.
 Maguire v. Tyler, 40 Mo. 406.
 Athearn v. Poppe, 25 Cal. 632.
 Hagar v. Lucas, 29 Cal. 309.
 Durfee v. Plaisted, 38 Cal. 80.
 Sutton v. Fassett, 51 Cal. 12.
 The People v. Carrick, 51 Cal. 325.
 1 Op. Att. Gen. 159, 458; 5 id. 7.
 Secretary Interior, Avery v. Carter, Oct. 5, 1876, 3 Copp's L. O. 121.

PEORIA, FRENCH CLAIMS IN—

- Dredge v. Forsythe, 2 Black, 563.
 Hall v. Papin, 24 How. 132.
 Meehan v. Forsythe, 24 How. 175.
 Balance v. McFarden, 12 Ills. 317.
 Gray v. McFarden, 12 Ills. 324.
 Balance v. Tepon, 12 Ills. 326.
 Rankin v. Curtin, 12 Ills. 334.
 Lender v. Kidder, 23 Ills. 49.

PERJURY—

- State v. Adams, 4 Blackf. (Ind.) 146.
 People v. Kelly, 38 Cal. 145.
 Burrell v. Haw, 48 Cal. 223.
 Com'r G. L. O., circular, Feb. 29, 1836, 2 L. I. & O. 625.
 Secretary Interior, *ex parte* Tremper, Nov. 5, 1879, 6 Copp's L. O. 153.

PETALUMA, TOWN OF—

- Bell v. The Bed Rock Tunnel & Mg. Co. 36 Cal. 214.
 Jones v. City of Petaluma, 38 Cal. 397.
 Alemany v. City of Petaluma, 38 Cal. 554.

POLISH EXILES—

- Secretary Treasury, May 3, 1836, 2 L. I. & O. 518.
 Secretary Treasury, May 7, 1836, 2 L. I. & O. 519.
 Com'r G. L. O., instructions, July 23, 1834, 2 L. I. & O. 498.

PORTERFIELD SCRIP—

- Secretary Interior, Bovard v. Bunn, Nov. 2, 1871, Copp's L. L. 803.
 Secretary Interior, *ex parte* Brown, July 25, 1872, Copp's L. L. 805.
 Com'r G. L. O., *ex parte* Weise, Dec. 1, 1875, 2 Copp's L. O. 130.
 Com'r G. L. O., *ex parte* Carrigan, Aug. 25, 1876, 3 Copp's L. O. 83.

PORTLAND, CITY OF—

- Stark v. Starr, 6 Wall. 402.
 Lonsdale v. City of Portland, 1 Deady, C. C. 8.
 Lonsdale v. City of Portland, 1 Oreg. 381.
 Leland v. City of Portland, 2 Oreg. 46.
 Starr v. Stark, 2 Oreg. 118.
 Com'r G. L. O., Portland City Case, Oct. 18, 1872, 1 Lester, 437.

PORTLAND LAND CLAIM—

- Lamb v. Davenport, 1 Saw. C. C. 609.
 Lamb v. Vaughn, 2 Saw. C. C. 161.
 Shuffleton v. Nelson, 2 Saw. C. C. 540.
 Starr v. Stark, 2 Saw. C. C. 603.
 Lonsdale v. City of Portland, 1 Deady C. C. 1, 39.
 Fields v. Squires, 1 Deady C. C. 366.

POSSESSION—

Adverse :

- McClung v. Ross, 5 Wheat. 116.
 Ricard v. Williams, 7 Wheat. 59.

POSSESSION—Continued

Adverse :

- Wilson v. Watkins, 3 Pet. 41.
 Peyton v. Smith, 5 Pet. 485.
 Ewing v. Burnet, 11 Pet. 41.
 Mizner v. Vaughn, 2 Saw. C. C. 269.
 Shuffleton v. Nelson, 2 Saw. C. C. 340.
 Adams v. Burke, 3 Saw. C. C. 415.
 The Four-Twenty Mg. Co. v. The Bullion Mg. Co., 3 Saw. C. C. 634.
 Jackson v. Peter, 1 Paine, C. C. 457.
 Wallace v. Miner, 6 Ohio, 367.
 Wallace v. Miner, 7 Ohio, 249.
 Clark v. Sutherland, 16 Ohio St. 408.
 Hargis v. The Inhabitants, 29 Ind. 70.
 Rideway v. Ludlow, 58 Ind. 248.
 Cook v. Foster, 7 Ills. 652.
 Woodward v. McReynolds, 2 Pinney (Wis.) 268.
 Whitney v. Gunderson, 31 Wis. 359.
 Whitney v. Nelson, 33 Wis. 305.
 Page v. Fowler, 28 Cal. 605.
 Polack v. McGrath, 32 Cal. 15.
 Page v. Fowler, 37 Cal. 100.
 Mathews v. Ferres, 45 Cal. 51.
 Peffer v. Dunlap, 9 Rob. (La.) 283.
 Hallet v. Heirs of Eslava, 3 Stew. & Port. (Ala.) 105.
 Ivison *et al.* v. Dubois, 27 Ala. 418.
 Clemens v. Runckle, 34 Mo. 41.
 Davis v. Thompson, 56 Mo. 39.
 Barry v. Otto, 56 Mo. 177.
 Secretary Interior, Claw v. Patterson, Oct. 11, 1878, 5 Copp's L. O. 147.
 Com'r G. L. O., circular, April 15, 1873, Copp's L. L. 667.

Effect of :

- Barr v. Gray's heirs, 4 Wheat. 213.
 Walker v. Turner, 9 Wheat. 541.
 United States v. Fatlo's & Hallows' heirs, 8 Pet. 492.
 United States v. De Haro's heirs, 22 How. 293.
 United States v. Castro, 24 How. 346.
 United States v. Chaboya, 2 Black, 593.
 Peralta v. United States, 3 Wall. 434.
 Serrano v. United States, 5 Wall. 451.
 Gibson v. Chouteau, 13 Wall. 92.
 Trenouth v. San Francisco, 10 Otto, 251.
 Gimmy v. Culverson, 5 Saw. C. C. 605.
 Sumner v. Coleman, 23 Ind. 91.
 Davis v. Hopkins, 15 Ills. 519.
 Godfrey v. Diabrou, Walker's Chan. Rep. (Mich.) 160.
 Stockton v. Williams, Walker's Chan. Rep. (Mich.) 547.
 Bruckner v. Lawrence, 1 Doug. (Mich.) 19.
 Stockton v. Williams, 1 Doug. (Mich.) 546.
 Hubbard v. Smith, 2 Mich. 207.
 Cran v. Reeder, 21 Mich. 25, 82.
 Hicks v. Bell, 3 Cal. 219.
 Plume v. Seward, 4 Cal. 94.
 Castro v. Gill, 5 Cal. 40.
 Fitzgerald v. Urton, 5 Cal. 308.
 Tartar v. Spring Buck Mg. Co., 5 Cal. 395.
 Groover v. Hawley, 5 Cal. 485.
 Conger v. Weaver, 6 Cal. 548.
 Crandall v. Woods, 8 Cal. 136.
 Weisner v. Lowery, 11 Cal. 104.
 Rose v. Davis, 11 Cal. 133.
 Waring v. Crow, 11 Cal. 366.
 Houseman v. Chase, 12 Cal. 290.
 McGarrity v. Byington, 12 Cal. 431.
 Whitney v. Buckman, 13 Cal. 536.
 Gregory v. McPherson, 13 Cal. 562.
 Smith v. Doe, 15 Cal. 100.
 Lentz v. Victor, 17 Cal. 272.
 C. N. R. R. Co. v. Gould, 21 Cal. 254.
 Rogers v. Soggs, 22 Cal. 444.
 Gluckauf v. Reed, 22 Cal. 468.
 Dyson v. Bradshaw, 22 Cal. 528.
 Doran v. C. P. R. R. Co., 24 Cal. 245.
 Hastings v. McGrogin, 27 Cal. 85.
 Page v. Hobbs, 27 Cal. 484.
 Kile v. Tubbs, 28 Cal. 402.
 Tyler v. Green, 28 Cal. 406.
 People v. Shearer, 30 Cal. 645.
 Rich v. Matles, 33 Cal. 102.
 Gibson v. Puchta, 33 Cal. 310.

POSSESSION—Continued.

Effect of:

People v. B. D. & C. M. Co., 37 Cal. 54.
 Holden v. Andrews, 38 Cal. 119.
 Emerson v. Sansome, 41 Cal. 552.
 McLean v. Benton, 43 Cal. 467.
 Slaughter v. Fowler, 44 Cal. 195.
 West v. Smith, 52 Cal. 322.
 Brandt v. Wheaton, 52 Cal. 430.
 Landry v. Martin, 15 La. 1.
 Wilcoxon v. Rogers, 16 La. 6.
 Griffin v. Cotton, 1 Rob. (La.) 142.
 Dickson v. Marks, 10 La. Ann. 518.
 Sloane v. Moore, 7 Mo. 170.
 Sarpy v. Papin, 7 Mo. 503.
 Macklot v. Dubreuil, 9 Mo. 477.
 Kansas v. Stringfellow, 2 Kana. 263.
 Pratt v. Young, 1 Utah, 347.
 Fribaugh v. Masterson, 1 Idaho, 153.
 Colwell v. Smith, 1 Wash. Ty. 109.
 Lownsdale v. City of Portland, 1 Oreg. 381.
 Hale & Norcross v. Story Co., 1 Nev. 104.
 People v. Logan, 1 Nev. 109.
 State v. Real Del Monte Mg. Co., 1 Nev. 521.
 Lobdell v. Hall, 3 Nev. 507.
 State of Nevada v. Rhodes, 4 Nev. 312.
 Treadway v. Sharon, 7 Nev. 27.
 Rogers v. Coving, 7 Nev. 213.
 Lake v. Tolles, 8 Nev. 286.
 Barnes v. Sabron, 10 Nev. 217.
 1 Op. Att. Gen. 463, 703.
 Secretary Interior, Bovard v. Bunn, Nov. 2, 1871, Copp's L. L. 801.
 Secretary Interior, Dietrick v. Blasey, May 20, 1876, 3 Copp's L. O. 37.
 Secretary Interior, Lyons v. Stevens, Sept. 21, 1879, 6 Copp's L. O. 107.
 Secretary Interior, Lawless v. Anderson, June 5, 1880, 7 Copp's L. O. 68.
 Com'r G. L. O., circular, Oct. 21, 1834, 2 L. I. & O. 597.
 Com'r G. L. O., circular, April 15, 1873, Copp's L. L. 667.

Juridical:

Graham v. United States, 4 Wall. 259.
 Van Reynegan v. Bolton, 5 Otto, 33.
 Secretary Interior, Rancho Corte Madera del Presidio, Jan. 6, 1872, Copp's L. L. 532.
 Secretary Interior, Rancho Huasna, Oct. 24, 1878.
 Secretary Interior, Rancho Las Virgines, July 11, 1878.
 Com'r G. L. O., Rancho Huasna, Sept. 29, 1877.
 Com'r G. L. O., Preston Beck claim, Aug. 14, 1879.

What constitutes:

United States v. Arredondo, 6 Pet. 691.
 Elliott v. Pearl, 10 Pet. 412.
 Stark v. Starr, 1 Saw. C. C. 15.
 Harris v. McGovern, 2 Saw. C. C. 515.
 Fields v. Squires, 1 Deady, C. C. 366.
 People v. State Treasurer, 7 Mich. 365.
 Bird v. Dennison, 7 Cal. 297.
 Baldwin v. Simpson, 12 Cal. 560.
 Wright v. Whiteside, 15 Cal. 46.
 Garrison v. Sampson, 13 Cal. 93.
 Coryell v. Cain, 16 Cal. 567.
 English v. Johnson, 17 Cal. 108.
 Wolf v. Baldwin, 19 Cal. 306.
 Commins v. Scott, 20 Cal. 83.
 Hestres v. Brennan, 21 Cal. 423.
 Hutton v. Schumaker, 21 Cal. 453.
 Patterson v. Keystone Mg. Co., 23 Cal. 575.
 Wixon v. Bear River Co., 24 Cal. 367.
 People v. Bachelder, 27 Cal. 70.
 Page v. O'Brien, 36 Cal. 559.
 Buil v. Frazier, 38 Cal. 693.
 Wolfskill v. Malajowich, 39 Cal. 276.
 Wilson v. Shackelford, 41 Cal. 630.
 Crowell v. Lanfranco, 42 Cal. 654.
 Pattee v. Moyle, 44 Cal. 363.
 Le Roy v. Cunningham, 44 Cal. 599.
 Iberg v. Swanet, 47 Cal. 265.
 Golich v. Moriarity, 53 Cal. 217.
 Heirs of Mims v. Higgins, 1 Ala. 676.
 James v. Snelson, 3 Mo. 272.
 Gale v. Davis, 7 Mo. 541.

POSSESSION—Continued.

What constitutes:

Papin v. Hines, 23 Mo. 274.
 McFarland v. Culbertson, 2 Nev. 280.
 O'Neal v. Cleveland, 3 Nev. 485.
 Robinson v. Imperial Silver Co., 5 Nev. 44.
 Craft v. Carlow, 9 Nev. 50.
 Eureka Mg. Co. v. Way, 11 Nev. 171.
 Lechler v. Chapin, 12 Nev. 65.
 Courtney v. Turner, 12 Nev. 345.
 Rivers v. Burbank, 13 Nev. 398.
 Gleason v. Martin White Mg. Co., 13 Nev. 442.
 Circulars, 2 L. I. & O. 545, 589, 597.
 Claw v. Patterson, 5 Copp's L. O. 147.
 Lyons v. Stevens, 6 Copp's L. O. 107.
 Lawless v. Anderson, 7 Copp's L. O. 68.

POSSESSORY TITLES OF INHABITANTS AFTER CHANGE OF SOVEREIGNTY—

American Ins. Co. v. Canter, 1 Pet. 511.
 Doe v. Hill, Breese, (Illa.) 216.
 Puget Sound Ag. Co. v. Pierce Co., 1 Wash. Ty. 180.

POWER OF ATTORNEY—

Hunt v. Rousmanier's adms., 8 Wheat. 174.
 Love v. Simm's lessee, 9 Wheat. 515.
 McClaron v. Wicker, 8 Ark. 192.
 McElyea v. Hayter, 2 Port. (Ala.) 148.
 3 Op. Att. Gen. 35, 97; 2 L. I. & O. 2; Copp's L. L. 795.

POWER OF PRESIDENT TO REVERSE SECRETARY—

Presd't Pierce, Feb. 11, 1857, 1 Lester, 507.
 Presd't Buchanan, Dec. 12, 1859, 1 Lester, 610.

PRE-EMPTION ENTRIES BY MAIL CONTRACTORS—

Op. Att. Gen. May 12, 1859, 1 Lester, 486.
 Secretary Interior to Com'r G. L. O., Oct. 30, 1857, 1 Lester, 463.
 Secretary Interior, *ex parte* Stewart *et al.*, Jan. 26, 1859, 1 Lester, 463.
 Secretary Interior, *ex parte* Hill, May 15, 1855, 1 Lester, 464.
 Secretary Interior, *ex parte* Bennett *et al.*, Oct. 26, 1858, 1 Lester, 465.
 Secretary Interior, April 22, 1859, 1 Lester, 486.
 Secretary Interior, *ex parte* Emory, May 26, 1859, 1 Lester, 488.
 Com'r G. L. O., circular, Sept. 9, 1857, 1 Lester, 459.
 Com'r G. L. O., to Secretary Interior, Oct. 29, 1857, 1 Lester, 460.
 Com'r G. L. O., *ex parte* Stewart *et al.*, March 31, 1858, 1 Lester, 463.
 Com'r G. L. O., April 9, 1859, 1 Lester, 485.

PRIVATE LAND CLAIMS—

Alcalde grants:

Merryman v. Bourne, 9 Wall. 602.
 Alexander v. Roulet, 13 Wall. 387.
 Palmer v. Low, 8 Otto, 1.
 Montgomery v. Bearn, 1 Saw. C. C. 653.
 Woodworth v. Fulton, 1 Cal. 295.
 Reynolds v. West, 1 Cal. 322.
 Brown v. O'Conner, 1 Cal. 419.
 Cohas v. Ralsin, 3 Cal. 443.
 Holliday v. West, 6 Cal. 519.
 Welch v. Sullivan, 8 Cal. 164.
 Chapin v. Bourne, 8 Cal. 294.
 Noe v. Card, 14 Cal. 577.
 Payne v. Treadwell, 16 Cal. 221.
 Leese v. Clark, 18 Cal. 535.
 White v. Moses, 21 Cal. 34.
 Downer v. Smith, 24 Cal. 114.
 Fuller v. Ferguson, 26 Cal. 546.
 Seabury v. Arthur, 28 Cal. 142.
 Rice v. Cunningham, 29 Cal. 492.
 Beach v. Gabriel, 29 Cal. 580.
 Lick v. Diaz, 30 Cal. 65.
 Wilson v. Cleveland, 30 Cal. 192.
 Donner v. Palmer, 31 Cal. 501.
 Lick v. Diaz, 37 Cal. 437.
 Garwood v. Hastings, 38 Cal. 216.
 Broad v. Broad, 40 Cal. 493.
 Romie v. Casanova, 45 Cal. 131.
 Sill v. Russ, 47 Cal. 295.

PRIVATE LAND CLAIMS—Continued.

Appeal:

Mitchell v. United States, 15 Pet. 52.
 United States v. Boisdoré's heirs, 8 How. 113.
 United States v. Ritchie, 17 How. 525.
 Yturvide's ex'r v. United States, 22 How. 290.
 United States v. White, 23 How. 249.
 United States v. Gomez, 23 How. 326.
 Malarin v. United States, 1 Wall. 222.
 United States v. Johnson, 1 Wall. 326.
 United States v. Anguisola, 1 Wall. 352.
 United States v. Yorba, 1 Wall. 412.
 United States v. Morillo, 1 Wall. 706.
 United States v. Estudillo, 1 Wall. 710.
 United States v. Billing, 2 Wall. 444.
 The Fossat Case, 2 Wall. 649.
 Castro v. United States, 3 Wall. 46.
 Beard v. Federy, 3 Wall. 478.
 United States v. Gomez, 3 Wall. 753.
 Higuera v. United States, 5 Wall. 827.
 Grisar v. McDowell, 6 Wall. 363.
 Alviso v. United States, 8 Wall. 337.
 Noe v. United States, 1 Hoffman, L. Cas. 242.
 Yturvide v. United States, 1 Hoffman, S. Cas. 273.
 City of San Francisco v. United States, 1 Saw. C. C. 553.
 14 Op. Att. Gen. 74.
 Secretary Interior, Las Animas grant, Oct. 27, 1874.
 Secretary Interior, Las Animas grant, Jan. 23, 1875.
 Secretary Interior, Rancho El Cajon, March 15, 1878, Copp's L. L. 559.
 Secretary Interior, Rancho Corte Madera, May 28, 1879, 6 Copp's L. O. 52.
 Secretary Interior, Rancho La Laguna, May 17, 1880, 7 Copp's L. O. 40.

Baron de Bastrop grant:

United States v. Philadelphia and New Orleans, 11 How. 609.
 Secretary Interior, *ex parte* Vester, March 31, 1859, 1 Lester, 451.

British grants:

Harcourt v. Gaillard, 12 Wheat. 523.
 Esalava v. Farmer's heirs, 7 Ala. 543.
 Doe *ex dem.* Farmer v. Esalava, 11 Ala. 1028.
 Secretary Treasury, instructions, July 26, 1803, 2 L. I. & O. 719.
 Secretary Treasury, instructions, May 31, 1804, 2 L. I. & O. 662.
 Secretary Treasury, instructions, April 24, 1806, 2 L. I. & O. 673.
 Secretary Treasury, instructions, April 24, 1806, 2 L. I. & O. 795.
 Secretary Treasury to Com'rs, April 24, 1806, 2 L. I. & O. 674.
 Secretary Treasury to Com'rs, Aug. 16, 1806, 2 L. I. & O. 679.
 Secretary Treasury, circular, March 28, 1807, 2 L. I. & O. 687.
 Secretary Treasury, instructions, Oct. 20, 1808, 2 L. I. & O. 695.
 Secretary Treasury, *ex parte* Ellis *et al.*, July 21, 1809, 2 L. I. & O. 698.
 Com'r G. L. O., instructions, July 14, 1812, 2 L. I. & O. 704.
 Com'r G. L. O., instructions, July 31, 1812, 2 L. I. & O. 706.
 Com'r G. L. O. to Com'rs, Aug. 7, 1813, 2 L. I. & O. 707.
 Com'r G. L. O., instructions, March 22, 1819, 2 L. I. & O. 712.
 Com'r G. L. O., instructions, Aug. 13, 1823, 2 L. I. & O. 717.
 Com'r G. L. O., instructions, Aug. 4, 1827, 2 L. I. & O. 876.
 Com'r G. L. O., instructions, July 20, 1830, 2 L. I. & O. 742.
 Com'r G. L. O., instructions, Feb. 9, 1831, 2 L. I. & O. 743.
 Com'r G. L. O., *ex parte* Rhea, July 16, 1835, 2 L. I. & O. 758.
 Com'r G. L. O., circular, Oct. 25, 1860, Copp's L. L. 523.

PRIVATE LAND CLAIMS—Continued.

British grants:

Com'r G. L. O., circular, July 18, 1872, Copp's L. L. 523.
 Com'r G. L. O., circular, Aug. 26, 1872, Copp's L. L. 513.

Commissioners:

Brown v. Jackson, 7 Wheat. 218.
 Henderson v. Poindexter, 12 Wheat. 530.
 Ross v. Borland, 1 Pet. 635.
 Strother v. Lucas, 6 Pet. 763.
 United States v. Percheman, 7 Pet. 51.
 Strother v. Lucas, 12 Pet. 410.
 McDonogh v. Millaudon, 3 How. 693.
 Landes v. Brant, 10 How. 348.
 United States v. Ritchie, 17 How. 525.
 United States v. Fossat, 20 How. 413.
 United States v. Fossat, 21 How. 445.
 Magwire v. Tyler, 1 Black. 195.
 United States v. Covillard, 1 Black. 339.
 United States v. Grimes, 2 Black. 610.
 United States v. Sepulveda, 1 Wall. 104.
 United States v. Halleck, 1 Wall. 439.
 Beard v. Federy, 3 Wall. 478.
 Higuera v. United States, 5 Wall. 827.
 Lynch v. Bernal, 9 Wall. 315.
 Williams v. United States, 2 Otto, 457.
 Boyle v. Hinds, 2 Saw. C. C. 527.
 Mora v. Foster, 3 Saw. C. C. 469.
 United States v. Flint, 4 Saw. C. C. 42.
 Grisar v. McDowell, 4 Saw. C. C. 597.
 Norton v. Meader, 4 Saw. C. C. 603.
 Challefoux v. Ducharme, 4 Wis. 554.
 Hooler v. Tippet, 8 Martin (La.) 637.
 Boatner v. Vantress, 8 Martin (La.) 644.
 Thomas v. Turnley, 3 Rob. (La.) 206.
 Archer v. Bacon, 12 Mo. 149.
 Papin v. Massey, 27 Mo. 445.
 Magwire v. Tyler, 40 Mo. 406.
 Semple v. Hagar, 27 Cal. 163.
 Bernal v. Lynch, 36 Cal. 135.
 Chipman v. Hastings, 50 Cal. 310.
 Com'r G. L. O., circular, Oct. 25, 1860, Copp's L. L. 523.
 Com'r G. L. O., Rancho Niguel, July 9, 1872, Copp's L. L. 564.
 Com'r G. L. O., Rancho Corte Madera, Sept. 18, 1878.

Commons, common-field lots, out-lots, village lots, &c.:

Strother v. Lucas, 12 Pet. 410.
 Mackay v. Dillon, 4 How. 421.
 LesBois v. Brameli, 4 How. 449.
 Menard's heirs v. Massey, 8 How. 293.
 United States v. Boisdoré's heirs, 8 How. 113.
 Gamache v. Piquignot, 16 How. 451.
 Guitard v. Stoddard, 16 How. 494.
 Kissell v. St. Louis Pub. Schools, 18 How. 19.
 Savignac v. Garrison, 18 How. 136.
 Willot v. Sandford, 19 How. 79.
 Carondelet v. St. Louis, 1 Black. 179.
 Glasgow v. Hortiz, 1 Black. 595.
 Public Schools v. Walker, 9 Wall. 282.
 Shepley v. Cowan, 1 Otto. 330.
 Mayor, &c., New Orleans v. Catares, 3 Martin (La.) 675.
 Clark v. Brazeau, 1 Mo. 290.
 Vasseur v. Benton, 1 Mo. 212.
 Janis v. Gurmo, 4 Mo. 452.
 Gurmo v. Janis, 6 Mo. 350.
 Cerre v. Hook, 6 Mo. 474.
 Bird v. Montgomery, 6 Mo. 510.
 Mackay v. Dillon, 7 Mo. 7.
 Moss v. Anderson, 7 Mo. 337.
 Hammond v. St. Louis, 8 Mo. 65.
 Trotter v. Board, &c., St. Louis, 9 Mo. 69.
 Montgomery v. Landusky, 9 Mo. 714.
 Page v. Scheibel, 11 Mo. 109.
 Eberle v. Board, &c., St. Louis, 11 Mo. 157.
 McGill v. Somers, 15 Mo. 80.
 Inhabitants of Carondelet v. Dent, 18 Mo. 248.
 Barada v. Blumenthal, 28 Mo. 162.
 City of Carondelet v. McPherson, 20 Mo. 192.
 St. Louis Public Schools v. Hammond, 21 Mo. 236.

PRIVATE LAND CLAIMS—Continued.

Commons, common-field lots, out-lots, village lots, &c.:

City of St. Louis v. Toney, 21 Mo. 243.
Hogan v. Page, 22 Mo. 55.
Maguire v. Page, 23 Mo. 183.
Milburn v. Hortiz, 23 Mo. 532.
Tayon v. Hardman, 23 Mo. 539.
Fine v. St. Louis, 23 Mo. 520.
Vasquez v. Ewing, 24 Mo. 31.
Schultz v. Lindell, 24 Mo. 567.
City of Carondelet v. City of St. Louis, 25 Mo. 449.
Funkhouser v. Langkopp, 26 Mo. 453.
Clark v. Hammerle, 27 Mo. 55.
Prim v. Horen, 27 Mo. 205.
City of Carondelet v. City of St. Louis, 29 Mo. 527.
Funkhouser v. Hantz, 29 Mo. 540.
McCune v. O'Fallon, 32 Mo. 13.
Barry v. Blumenthal, 32 Mo. 29.
Tayon v. Laden, 33 Mo. 205.
Robbins v. Eckler, 36 Mo. 494.
Le Beau v. Gaven, 37 Mo. 556.
Patterson v. Fogan, 38 Mo. 70.
Fine v. St. Louis, &c., 39 Mo. 59.
Schultz v. Lindell, 40 Mo. 330.
St. Louis Public Schools v. Schoenthaler, 40 Mo. 372.
St. Louis Public Schools v. Walker, 40 Mo. 383.
Vasquez v. Ewing, 42 Mo. 247.
Connoyer v. La B. aume, 45 Mo. 139.
Glasgow v. Lindell, 50 Mo. 60.
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PRIVATE LAND CLAIMS—Continued.

Confirmation:

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Grisar v. McDowell, 6 Wall. 363.
Maguire v. Tyler, 8 Wall. 650.
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Carpentier v. Montgomery, 13 Wall. 480.
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Bissell v. Henshaw, 1 Saw. C. C. 553.
Walker v. Marks, 2 Saw. C. C. 152.
Mora v. Foster, 3 Saw. C. C. 409.
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Tripp v. Spring, 5 Saw. C. C. 209.
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Tillotson v. Doe ex dem. Kennedy, 5 Ala. 407.
Doe ex dem. Chastang v. Dill, 19 Ala. 421.
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Ashley v. Cramer, 7 Mo. 98.
Barry v. Gamble, 8 Mo. 88.
Roussin v. Parks, 8 Mo. 528.
Ott v. Soulard, 9 Mo. 581.
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Ashley v. Turley, 13 Mo. 430.
Morgan v. Rutgers, 14 Mo. 585.
McGill v. Somers, 15 Mo. 80.
Inhabitants of Carondelet v. Dent, 18 Mo. 248.
Maguire v. Vice, 20 Mo. 429.
Mercier v. Letcher, 22 Mo. 66.
Berthold v. McDonald, 24 Mo. 126.
Papin v. Massey, 27 Mo. 445.
Williams v. Carpenter, 28 Mo. 453.
St. Louis University v. McCune, 28 Mo. 481.
Dent v. Segerson, 29 Mo. 479.
Mitchell v. Handfield, 33 Mo. 431.
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Board of Com'rs v. Colorado Imp. Co., 2 Colo. 628.
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Gregory v. McPherson, 13 Cal. 562.
Jackson v. Feather River Co. 14 Cal. 18.
Leese v. Clark, 18 Cal. 535.
Soto v. Kroder, 19 Cal. 87.
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Rice v. Spense, 21 Cal. 504.
Mahoney v. VanWinkle, 21 Cal. 552.

PRIVATE LAND CLAIMS—Continued.

Confirmation:

Semple v. Hagar, 27 Cal. 163.
 Ward v. Mulford, 32 Cal. 365.
 O'Connell v. Dougherty, 33 Cal. 458.
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 Secretary Interior, Rancho Tularcitos, July 30, 1859, 1 Lester, 652.
 Secretary Interior, Rancho Buelna, Sept. 1, 1859, 1 Lester, 657.
 Secretary Interior, Rancho Seape, July 31, 1871, Copp's L. L. 529.
 Secretary Interior, Rancho Corte Madera, Jan. 6, 1872, Copp's L. L. 532.
 Secretary Interior, Rancho El Cajón, March 15, 1872, Copp's L. L. 559.
 Secretary Interior, Rancho La Carbonera, May 21, 1873, Copp's L. L. 567.
 Secretary Interior, ex-Mission San Buenaventura, June 18, 1874, Copp's L. L. 573.
 Secretary Interior, Rancho Caslamayomí, July 13, 1874, Copp's L. L. 569.
 Secretary Interior, Beaubien & Miranda, Dec. 31, 1869, Copp's L. L. 603.
 Secretary Interior, Rancho Los Trigos, Feb. 23, 1874, Copp's L. L. 607.
 Secretary Interior, Rancho Corral de Tierra, June 1, 1875, 2 Copp's L. O. 53.
 Secretary Interior, Ortiz mine grant, April 22, 1876, 3 Copp's L. O. 21.
 Secretary Interior, Rancho Escorpina, Aug. 17, 1876, 3 Copp's L. O. 90.
 Secretary Interior, Rancho Palos Colorados, Aug. 9, 1878, 5 Copp's L. O. 119.
 Secretary Interior, Rancho Huasna, Oct. 24, 1878.
 Com'r G. L. O., Mission la Purísima, June 16, 1873, Copp's L. L. 567.
 Com'r G. L. O., ex-Mission San Buenaventura, Aug. 1, 1873, Copp's L. L. 568.
 Com'r G. L. O., Rancho Najalayegua, Sept. 18, 1874, Copp's L. L. 591.
 Com'r G. L. O., Ortiz mine grant, June 19, 1875, 2 Copp's L. O. 52.
 Com'r G. L. O., Town Chilli, Feb. 12, 1875, 2 Copp's L. O. 101.
 Com'r G. L. O., Rancho Cajón de Santa Ana, Sept. 18, 1875, 2 Copp's L. O. 119.
 Com'r G. L. O., Rancho Escorpina, Sept. 24, 1875, 2 Copp's L. O. 135.
 Com'r G. L. O., Pueblo San Francisco, Nov. 11, 1878, 5 Copp's L. O. 131.

Construction:

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 United States v. Auguicola, 1 Wall. 352.
 Higuera v. United States, 5 Wall. 827.
 Tobin v. Watten's heir, 1 McAllister, C. C. 151.
 Griffing v. Gibb, 1 McAllister, C. C. 212.
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 Secretary Interior, Rancho Buelna, Sept. 1, 1859, 1 Lester, 657.
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 Secretary Interior, Beaubien & Miranda, Dec. 31, 1869, Copp's L. L. 603.
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 Secretary Interior, Rancho Corral de Tierra, June 1, 1875, 2 Copp's L. O. 53.
 Secretary Interior, Rancho Escorpina, Aug. 17, 1876, 3 Copp's L. O. 90.
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PRIVATE LAND CLAIMS—Continued.

Construction:

Com'r G. L. O., Rancho Escorpina, Sept. 24, 1875, 2 Copp's L. O. 135.
 Com'r G. L. O., Pueblo San Francisco, Nov. 11, 1878, 5 Copp's L. O. 131.

Certificate of Corporation:

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 Lewis v. Goguetto, 3 Stew. & Port. (Ala.) 61.
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PRIVATE LAND CLAIMS—Continued.

French grants:

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1833, 2 L. I. & O. 752.
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1874 2 Copp's L. O. 21.

Houmas grant:

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De la Housaye v. Saunders, 4 La. 443.
Thomas v. Turnley, 3 Rob. (La.) 206.
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Lafayette v. Blanc, 3 La. Ann. 59.
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Incomplete or inchoate title:

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United States v. D'Auterive, 15 How. 14.
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United States v. Ducros, 15 How. 38.
Delauriere v. Emison, 15 How. 525.
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Juridical possession:

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Estrada v. Murphy, 19 Cal. 242.
DeArguella v. Greer, 26 Cal. 616.
Steinbach v. Moore, 30 Cal. 496.
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Jan. 6, 1852, Copp's L. L. 533.
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1877.
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PRIVATE LAND CLAIMS—Continued.

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286.
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293.
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United States v. Pico, 22 How. 406.
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Fuentes v. United States, 22 How. 443.
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United States v. Bennitz, 23 How. 255.
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United States v. Alviso, 23 How. 318.
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Callan et al. v. Statham et al., 23 How.
477.
Yontz v. United States, 23 How. 495.
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227.
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PRIVATE LAND CLAIMS—Continued.

Mexican grants:

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 Roland v. United States, 7 Wall. 743.
 Alviso v. United States, 8 Wall. 337.
 Lynch v. Bernal, 9 Wall. 315.
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 Meader v. Norton, 11 Wall. 442.
 Steinbach v. Stewart, 11 Wall. 566.
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 United States v. Pico, 1 Saw. C. C. 347.
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 Hardy v. Harbin, 4 Saw. C. C. 536.
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 Ryan v. C. P. R. R. Co., 5 Saw. C. C. 260.
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 Freidman v. Goodwin, 1 McAllister, C. C. 142.
 Tobin v. Watkins' heirs, 1 McAllister, C. C. 151.
 Den v. Hill, 1 McAllister, C. C. 480.
 United States v. Cervantes, 1 Hoffman's Land Cases, 9.
 United States v. Reading, 1 Hoffman, 18.
 United States v. Fremont, 1 Hoffman, 20.
 Teschemacher v. United States, 1 Hoffman, 28.
 Semple v. United States, 1 Hoffman, 37.
 Yount v. United States, 1 Hoffman, 43.
 United States v. Larkin, 1 Hoffman, 41.
 United States v. Yount, 1 Hoffman, 49.
 United States v. Bernal, 1 Hoffman, 50.
 Mesa v. United States, 1 Hoffman, 66.
 United States v. Soto, 1 Hoffman, 68.
 Feliz v. United States, 1 Hoffman, 69.
 United States v. Greer, 1 Hoffman, 72.
 Castro v. United States, 1 Hoffman, 72.
 United States v. Suñol, 1 Hoffman, 74.
 United States v. Reid, 1 Hoffman, 74.

PRIVATE LAND CLAIMS—Continued.

Mexican grants:

United States v. Larkin, 1 Hoffman, 75.
 United States v. Amador, 1 Hoffman, 76.
 United States v. Murphy, 1 Hoffman, 77.
 United States v. Horrell, 1 Hoffman, 78.
 United States v. Pacheco, 1 Hoffman, 79.
 United States v. Page, 1 Hoffman, 80.
 United States v. Murphy, 1 Hoffman, 81.
 United States v. Thomas, 1 Hoffman, 82.
 United States v. Rodriguez, 1 Hoffman, 82.
 United States v. Thomas, 1 Hoffman, 83.
 United States v. Wilson, 1 Hoffman, 84.
 Brackett v. United States, 1 Hoffman, 85.
 United States v. Cambuston, 1 Hoffman, 86.
 Dana v. United States, 1 Hoffman, 87.
 United States v. Peralta, 1 Hoffman, 89.
 United States v. Cazares, 1 Hoffman, 90.
 United States v. Bale, 1 Hoffman, 92.
 United States v. Guerrero, 1 Hoffman, 94.
 United States v. Carrillo, 1 Hoffman, 96.
 United States v. Palomares, 1 Hoffman, 97.
 De Zaldo v. United States, 1 Hoffman, 98.
 United States v. Berreyesa, 1 Hoffman, 99.
 United States v. Bernal, 1 Hoffman, 99.
 United States v. Osio, 1 Hoffman, 100.
 United States v. Cooper, 1 Hoffman, 101.
 United States v. Moraga, 1 Hoffman, 103.
 Bennitz v. United States, 1 Hoffman, 104.
 United States v. Castro, 1 Hoffman, 105.
 Grimes v. United States, 1 Hoffman, 107.
 United States v. Boggs, 1 Hoffman, 109.
 United States v. Suñol, 1 Hoffman, 110.
 United States v. Briones, 1 Hoffman, 111.
 United States v. Bassett, 1 Hoffman, 112.
 United States v. Pacheco, 1 Hoffman, 113.
 Pico v. United States, 1 Hoffman, 116.
 United States v. Leese, 1 Hoffman, 124.
 United States v. Castro, 1 Hoffman, 125.
 United States v. Weber, 1 Hoffman, 126.
 United States v. Reid, 1 Hoffman, 129.
 Chabolla v. United States, 1 Hoffman, 130.
 United States v. Sanchez, 1 Hoffman, 133.
 United States v. Ortega, 1 Hoffman, 135.
 United States v. Grimes, 1 Hoffman, 137.
 United States v. Payson, 1 Hoffman, 138.
 United States v. Bernal, 1 Hoffman, 139.
 United States v. Pope, 1 Hoffman, 141.
 Pico v. United States, 1 Hoffman, 142.
 Martin v. United States, 1 Hoffman, 146.
 United States v. Pacheco, 1 Hoffman, 150.
 United States v. Murphy, 1 Hoffman, 154.
 United States v. Chana, 1 Hoffman, 155.
 United States v. Stevenson, 1 Hoffman, 156.
 Garcia v. United States, 1 Hoffman, 157.
 United States v. Rico, 1 Hoffman, 161.
 United States v. Noe, 1 Hoffman, 162.
 United States v. Rodriguez, 1 Hoffman, 170.
 United States v. Sheldon, 1 Hoffman, 171.
 United States v. Pico, 1 Hoffman, 172.
 McKee v. United States, 1 Hoffman, 173.
 Vallejo v. United States, 1 Hoffman, 174.
 United States v. Alviso, 1 Hoffman, 176.
 United States v. Soto, 1 Hoffman, 177.
 United States v. Soto, 1 Hoffman, 182.
 United States v. Pico, 1 Hoffman, 188.
 Nunez v. United States, 1 Hoffman, 191.
 United States v. Rose, 1 Hoffman, 197.
 United States v. Estudillo, 1 Hoffman, 204.
 United States v. Hartnell, 1 Hoffman, 207.
 United States v. Fossat, 1 Hoffman, 211.
 Palmer v. United States, 1 Hoffman, 216, 249.
 Romero v. United States, 1 Hoffman, 219.
 Swat v. United States, 1 Hoffman, 230.
 United States v. Enright, 1 Hoffman, 239.
 United States v. Armijo, 1 Hoffman, 248.
 Yturbe v. United States, 1 Hoffman, 273.
 Pico v. United States, 1 Hoffman, 279.
 United States v. Bennett, 1 Hoffman, 281.
 United States v. Polack, 1 Hoffman, 284.
 Thurn v. United States, 1 Hoffman, 298.
 Redman v. United States, 1 Hoffman, 305.
 Larkin v. United States, 1 Hoffman, 313.
 Little v. United States, 1 Hoffman, 325.
 United States v. Fossat, 1 Hoffman, 373.
 United States v. Limantour, 1 Hoffman, 389.

PRIVATE LAND CLAIMS—Continued.

Mexican grants:

Reynolds v. West, 1 Cal. 322.
 Vallejo v. Clarke, 3 Cal. 17.
 Vanderslice v. Hawks, 3 Cal. 27.
 Clarkson v. Hawks, 3 Cal. 47.
 Gunn v. Bates, 6 Cal. 263.
 Neito v. Carpentier, 7 Cal. 528.
 Ferris v. Craber, 10 Cal. 589.
 Waterman v. Smith, 13 Cal. 373.
 Scott v. Ward, 13 Cal. 458.
 McGarvey v. Little, 15 Cal. 27.
 Seaward v. Malatte, 15 Cal. 304.
 Conevall v. Culver, 16 Cal. 424.
 Riley v. Heisch, 18 Cal. 198.
 Estrada v. Murphy, 19 Cal. 248.
 Lathrop v. Mills, 19 Cal. 514.
 Leese v. Clark, 20 Cal. 328.
 Clark v. Lockwood, 21 Cal. 220.
 Halton v. Schumaker, 21 Cal. 453.
 Pico v. Spence, 21 Cal. 504.
 Berreyesa v. Schultz, 21 Cal. 513.
 Mahoney v. Van Winkle, 21 Cal. 552.
 City of Oakland v. Carpentier, 21 Cal. 642.
 Carpentier v. Thurston, 24 Cal. 268.
 Thornton v. Mahoney, 24 Cal. 569.
 Minturn v. Brower, 24 Cal. 644.
 Semple v. Hagar, 27 Cal. 163.
 Wilson v. Castro, 31 Cal. 421.
 Rich v. Maples, 33 Cal. 102.
 Mahoney v. Van Winkle, 33 Cal. 448.
 Hood v. Hamilton, 33 Cal. 698.
 Merrill v. Chapman, 34 Cal. 251.
 Merrill v. Chapman, 35 Cal. 85.
 Stevenson v. Bennett, 35 Cal. 424.
 Bernal v. Lynch, 36 Cal. 135.
 Piper v. True, 36 Cal. 606.
 Page v. Fowler, 37 Cal. 100.
 Moore v. Massini, 37 Cal. 432.
 Yates v. Smith, 38 Cal. 60.
 Banks v. Moreno, 39 Cal. 233.
 City of San José v. Trimble, 41 Cal. 536.
 Sabichi v. Aguilar, 43 Cal. 285.
 Schmidt v. Giovanari, 43 Cal. 617.
 Miller v. Dale, 44 Cal. 562.
 Mott v. Byes, 45 Cal. 379.
 Chipley v. Farris, 45 Cal. 527.
 City of San Diego v. Allison, 46 Cal. 163.
 Hartley v. Brown, 46 Cal. 201.
 Wilkins v. McCue, 46 Cal. 657.
 Cassidy v. Carr, 48 Cal. 339.
 McCauley v. Harvey, 43 Cal. 497.
 Umbarger v. Chaboya, 49 Cal. 525.
 Taylor v. Escandor, 50 Cal. 428.
 Reed v. Hartman, 50 Cal. 485.
 Hartley v. Brown, 51 Cal. 465.
 McLaughlin v. Fowler, 52 Cal. 203.
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 Secretary Interior, Rancho Novato, Jan. 13, 1859, 1 Lester, 645.
 Secretary Interior, Rancho Musalacon, Feb. 23, 1859, 1 Lester, 647.
 Secretary Interior, Rancho Posolmi *et al.*, April 27, 1859, 1 Lester, 649.
 Secretary Interior, Rancho De Tito, July 23, 1859, 1 Lester, 650.
 Secretary Interior, Rancho Tularcitos, July 30, 1859, 1 Lester, 652.
 Secretary Interior, Rancho Pinole *et al.*, Aug. 10, 1859, 1 Lester, 654.
 Secretary Interior, Rancho Buelna, Sept. 1, 1859, 1 Lester, 657.
 Secretary Interior, Rancho Sespe, July 31, 1871, Copp's L. L. 529.
 Secretary Interior, Rancho Corte Madera, Jan. 6, 1872, Copp's L. L. 533.
 Secretary Interior, Rancho San Barnabe, Feb. 10, 1872, Copp's L. L. 547.
 Secretary Interior, Rancho Tajauta, Feb. 21, 1872, Copp's L. L. 548.
 Secretary Interior, Rancho Guadalupe, March 26, 1873, Copp's L. L. 558.
 Secretary Interior, Rancho Lompoc, July 23, 1873, Copp's L. L. 559.
 Secretary Interior, Rancho El Cajon, March 15, 1872, Copp's L. L. 559.

PRIVATE LAND CLAIMS—Continued.

Mexican grants:

Secretary Interior, Goat Island, May 3, 1872, Copp's L. L. 563.
 Secretary Interior, Rancho Sausal Redondo, Oct. 31, 1871, Copp's L. L. 564.
 Secretary Interior, Rancho Laguna de la Merced, Sept. 2, 1872, Copp's L. L. 567.
 Secretary Interior, Rancho La Brea, March 21, 1873, Copp's L. L. 567.
 Secretary Interior, Rancho La Carbonera, May 21, 1873, Copp's L. L. 567.
 Secretary Interior, ex-Mission San Buena-ventura, June 18, 1874, Copp's L. L. 573.
 Secretary Interior, Rancho Las Animas, June 29, 1874, Copp's L. L. 577.
 Secretary Interior, Rancho Alisal, Oct. 8, 1873, Copp's L. L. 577.
 Secretary Interior, Rancho Cuyamaca, July 15, 1874, Copp's L. L. 589.
 Secretary Interior, Rancho San Miguelito, March 17, 1874, Copp's L. L. 589.
 Secretary Interior, Rancho Caslamayomi, July 13, 1874, Copp's L. L. 589.
 Secretary Interior, Beaubien & Miranda, Dec. 31, 1869, Copp's L. L. 603.
 Secretary Interior, Beaubien & Miranda, July 27, 1871, Copp's L. L. 605.
 Secretary Interior, Los Trigos, Feb. 28, 1874, Copp's L. L. 607.
 Secretary Interior, Los Trigos, Dec. 5, 1874, Copp's L. L. 611.
 Secretary Interior, Vigil & St. Vrain, Jan. 23, 1875, Copp's L. L. 611.
 Secretary Interior, Rancho Corral de Tierra, June 1, 1875, 2 Copp's L. O. 53.
 Secretary Interior, Rancho Los Huecos, Feb. 4, 1876, 2 Copp's L. O. 182.
 Secretary Interior, Otriz mine grant, April 22, 1876, 3 Copp's L. O. 23.
 Secretary Interior, Rancho Escorpinas, Aug. 17, 1876, 3 Copp's L. O. 90.
 Secretary Interior, Rancho Piedra Blanca, Aug. 8, 1876, 3 Copp's L. O. 98.
 Secretary Interior, La Liebra, 3 Copp's L. O. 133.
 Secretary Interior, Rancho Cuyama No. 1, Dec. 30, 1876, 3 Copp's L. O. 164.
 Secretary Interior, Beaubien & Miranda, March 16, 1877, 4 Copp's L. O. 4.
 Secretary Interior, Rancho Caslamayomi, Oct. 9, 1877, 4 Copp's L. O. 144.
 Secretary Interior, Rancho Laguna Palos Colorados, Aug. 9, 1878, 5 Copp's L. O. 119.
 Secretary Interior, Rancho Entre Napa, May 17, 1879, 6 Copp's L. O. 36.
 Secretary Interior, Rancho Cuyama No. 2, Dec. 19, 1878, 6 Copp's L. O. 127.
 Com'r G. L. O., Rancho Guadalupe, June 12, 1872, Copp's L. L. 551.
 Com'r G. L. O., Rancho Niguel, July 9, 1872, Copp's L. L. 564.
 Com'r G. L. O., Rancho Laguna de la Merced, May 3, 1872, Copp's L. L. 567.
 Com'r G. L. O., Mission la Purisima, June 16, 1873, Copp's L. L. 587.
 Com'r G. L. O., ex-Mission San Buenaven-tura, Aug. 1, 1873, Copp's L. L. 568.
 Com'r G. L. O., Rancho Las Animas, Oct. 3, 1873, Copp's L. L. 574.
 Com'r G. L. O., Rancho Cuyamaca, Nov. 25, 1873, Copp's L. L. 577.
 Com'r G. L. O., Rancho Najalayegua, Sept. 18, 1874, Copp's L. L. 590.
 Com'r G. L. O., Rancho Los Huecos, March 20, 1875, 2 Copp's L. O. 12.
 Com'r G. L. O., Ortiz mine grant, June 19, 1875, 2 Copp's L. O. 52.
 Com'r G. L. O., Rancho Corral de Tierra, June 29, 1875, 2 Copp's L. O. 85.
 Com'r G. L. O., Rancho Las Virgines, Nov. 3, 1874, 2 Copp's L. O. 84.
 Com'r G. L. O., Town of Chilili, Feb. 12, 1875, 2 Copp's L. O. 101.
 Com'r G. L. O., Rancho San Juan Cajon, &c., Sept. 18, 1875, 2 Copp's L. O. 119.
 Com'r G. L. O., Rancho Escorpinas, Sept. 24, 1875, 2 Copp's L. O. 135.

PRIVATE LAND CLAIMS—Continued.

Mexican grants:

- Com'r G. L. O., Rancho Cuyama No. 1, Oct. 23, 1875, 2 Copp's L. O. 164.
 Com'r G. L. O., Rancho Santa Margarita y Las Flores, 3 Copp's L. O. 133.
 Com'r G. L. O., Rancho Posolmi, 3 Copp's L. O. 133.
 Com'r G. L. O., Rancho San Antonio, Jan. 23, 1877, 3 Copp's L. O. 199.
 Com'r G. L. O., Pueblo San Francisco, Nov. 11, 1878, 5 Copp's L. O. 131.
 Com'r G. L. O., Rancho Cabeza de Santa Rosa, Dec. 2, 1878, 5 Copp's L. O. 143.
 Com'r G. L. O., Baca claim No. 4, March 21, 1879, 6 Copp's L. O. 127.

Mission lands:

- United States v. Ritchie, 17 How. 525.
 United States v. Cervantes, 18 How. 553.
 United States v. Bolton, 23 How. 341.
 United States v. Wilson, 1 Wall. 267.
 United States v. Workman, 1 Wall. 745.
 United States v. Carey Jones, 1 Wall. 766.
 Mora v. Foster, 3 Saw. C. C. 469.
 Larkin v. United States, 1 Hoffman, L. Cas. 313.
 Brown v. O'Conner, 1 Cal. 419.
 Den v. Den, 6 Cal. 81.
 Nobili v. Redman, 6 Cal. 325.
 Welch v. Sullivan, 8 Cal. 164.
 Brown v. San Francisco, 16 Cal. 452.
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 Secretary Interior, ex Mission San Buena-ventura, June 18, 1874, Copp's L. L. 573.
 Secretary Interior, Mission St. James, May 10, 1872, Copp's L. L. 752.
 Secretary Interior, Mission Santa Rosa v. Bissell, Dec. 3, 1873.
 Secretary Interior, Dalles Mission Station, March 15, 1875.
 Com'r G. L. O., Mission la Purisima, June 16, 1873, Copp's L. L. 567.
 Com'r G. L. O., ex-Mission San Buenaven-tura, Aug. 1, 1873, Copp's L. L. 568.
 Com'r G. L. O., Mission Santa Rosa v. Bis-sell, Jan. 27, 1872.

Patent:

- City of New Orleans v. De Armas et al., 9 Pet. 223.
 Chouteau v. Eckhart, 2 How. 344.
 Menard's heirs v. Massey, 8 How. 293.
 Landes v. Brant, 10 How. 348.
 Ledoux et al. v. Black et al., 18 How. 473.
 United States v. Larkin, 18 How. 557.
 Spencer v. Lapsley, 20 How. 264.
 Easton v. Salisbury, 21 How. 426.
 Castro v. Hendricks, 23 How. 438.
 Greer et al. v. Mezes, 21 How. 268.
 O'Brien v. Perry, 1 Black, 132.
 Gregg v. Tenson, 1 Black, 150.
 Magwire v. Tyler, 1 Black, 195.
 United States v. Covilland, 1 Black, 339.
 Dredge v. Forsyth, 2 Black, 563.
 United States v. Grimos, 2 Black, 610.
 Hogan v. Page, 2 Wall. 605.
 Beard v. Federy, 3 Wall. 478.
 Townsend et al. v. Greeley, 5 Wall. 326.
 Reichart v. Felps, 6 Wall. 160.
 White v. Cannon, 6 Wall. 443.
 Maguire v. Tyler, 8 Wall. 630.
 Secretary v. McGarrahan, 9 Wall. 298.
 Meader v. Norton, 11 Wall. 442.
 Gibson v. Chouteau, 13 Wall. 92.
 Langdean v. Hanes, 21 Wall. 521.
 Miller et al. v. Dale et al., 2 Otto, 473.
 Morrison v. Jackson, 2 Otto, 654.
 McGarrahan v. Mining Co., 6 Otto, 316.
 Snyder v. Sickles, 8 Otto, 203.
 Hardy v. Harbin, 1 Saw. C. C. 194.
 Bissell v. Henshaw, 1 Saw. C. C. 553.
 Boyle v. Hinds, 2 Saw. C. C. 527.
 Dodge v. Perez, 2 Saw. C. C. 645.
 LeRoy v. Jamison, 3 Saw. C. C. 369.
 Hardy v. Harbin, 4 Saw. C. C. 536.
 Tripp v. Spring, 5 Saw. C. C. 209.
 Jackson v. Astor, 1 Pinney (Wis.) 137.
 Waterman v. Smith, 13 Cal. 373.
 Scott v. Ward, 13 Cal. 458.
 Boggs v. Merced Mining Co., 14 Cal. 279.

PRIVATE LAND CLAIMS—Continued.

Patent:

- Yount v. Howell, 14 Cal. 465.
 Natoma Water Co. v. Clarkin, 14 Cal. 543.
 Mott v. Smith, 16 Cal. 534.
 Moore v. Smaw, 17 Cal. 199.
 Ely v. Frisbie, 17 Cal. 250.
 Teschmacher v. Thompson, 18 Cal. 11.
 Fremont v. Seals, 18 Cal. 433.
 Leese v. Clark, 18 Cal. 535.
 Touchard v. Crow, 20 Cal. 150.
 Leese v. Clark, 20 Cal. 328.
 Clark v. Lockwood, 21 Cal. 220.
 Kimball v. Semple, 25 Cal. 441.
 Semple v. Hagar, 27 Cal. 163.
 Hagar v. Lucas, 29 Cal. 309.
 Salmon v. Lymonds, 30 Cal. 301.
 Merrill v. Chapman, 35 Cal. 85.
 Moore v. Massini, 37 Cal. 432.
 Chipley v. Farris, 45 Cal. 527.
 McGarrahan v. The New Idria Mg. Co., 49 Cal. 331.
 Miller v. Ellis, 51 Cal. 73.
 Hartley v. Brown, 51 Cal. 465.
 Cruz v. Martinez, 53 Cal. 239.
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 Secretary Interior, ex parte Clark, Jan. 5, 1871, Copp's L. L. 494.
 Secretary Interior, ex parte McGarrahan, Aug. 4, 1871, Copp's L. L. 532.
 Secretary Interior, Pueblos, Feb. 15, 1872, Copp's L. L. 547.
 Secretary Interior, Rancho Guadalupe, June 12, 1872, Copp's L. L. 530.
 Secretary Interior, Goat Island, May 3, 1872, Copp's L. L. 563.
 Secretary Interior, Beaubien & Miranda, July 27, 1871, Copp's L. L. 605.
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 Secretary Interior, ex parte Lynde, Aug. 4, 1875, Copp's L. L. 596.
 Secretary Interior, Rancho Entre Napa, May 17, 1879, 6 Copp's L. O. 36.
 Secretary Interior, Rancho Cuyama No. 2, Dec. 30, 1876.
 Secretary Interior, Rancho Cuyama No. 2, Dec. 19, 1878, 6 Copp's L. O. 127.
 Com'r G. L. O., Rancho Ballona, Jan. 3, 1874.
 Com'r G. L. O., Missouri, Aug. 26, 1874, 1 Copp's L. O. 102.
 Com'r G. L. O., Baca Claim No. 4, March 21, 1879, 6 Copp's L. O. 12.

Perfect or complete title:

- Strother v. Lucas, 12 Pet. 410.
 United States v. Wiggins, 14 Pet. 334.
 United States v. Reynes, 9 How. 127.
 Landes v. Brant, 10 How. 348.
 Robinson v. Minor, 10 How. 627.
 United States v. Roselius, 15 How. 36.
 United States v. Ducros, 15 How. 38.
 White v. Wells, 5 Martin (La.) 652.
 Fay v. Chambers, 4 La. Ann. 481.
 Fowler v. Duval, 11 La. Ann. 561.
 Nixon v. Hamilton, 20 La. Ann. 515.
 Hallett et al. v. Doe ex dem. Hunt, 7 Ala. 822.
 Magee v. Doe, ex dem. Hallett et al., 22 Ala. 699.
 Minturn v. Brower, 24 Cal. 644.
 Banks v. Moreno, 30 Cal. 233.
 Cassidy v. Carr, 48 Cal. 339.

Pueblos:

- Townsend v. Greeley, 5 Wall. 326.
 Serrano v. United States, 5 Wall. 451.
 Gissar v. McDowell, 6 Wall. 363.
 Lynch v. Bernal, 9 Wall. 315.
 Merryman v. Bourne, 9 Wall. 592.
 Alexander v. Roulet, 13 Wall. 386.
 Palmer v. Low, 8 Otto, 1.
 City of Brownsville v. Cavazos et al. 10 Otto, 138.

PRIVATE LAND CLAIMS—Continued.

Pueblos :

Montgomery v. Bevans, 1 Saw. C. C. 653.
 United States v. Carr, 3 Saw. C. C. 477.
 City of San Francisco v. United States, 4
 Saw. C. C. 553.
 Grisar v. McDowell, 4 Saw. C. C. 597.
 United States v. Hare, 4 Saw. C. C. 653.
 Tripp v. Spring, 5 Saw. C. C. 209.
 Cobas v. Raisin, 3 Cal. 443.
 Welch v. Sullivan, 8 Cal. 164.
 Hart v. Burnett, 15 Cal. 530.
 Paine v. Treadwell, 16 Cal. 221.
 Brown v. San Francisco, 16 Cal. 452.
 Leese v. Clark, 18 Cal. 535.
 Fulton v. Hanlon, 20 Cal. 450.
 Donner v. Smith, 24 Cal. 114.
 Brahan v. Mayor, &c., 24 Cal. 585.
 Fuller v. Ferguson, 26 Cal. 546.
 Redding v. White, 27 Cal. 282.
 Beach v. Gabriel, 29 Cal. 580.
 Steinbach v. Moore, 30 Cal. 498.
 Merle v. Dixey, 31 Cal. 131.
 Vassault v. Seltz, 30 Cal. 226.
 Donner v. Palmer, 30 Cal. 501.
 Stevenson v. Bennett, 35 Cal. 424.
 Bernal v. Lynch, 36 Cal. 135.
 City of San José v. Uridias, 37 Cal. 339.
 Lick v. Diaz, 37 Cal. 437.
 Spencer v. Winselman, 42 Cal. 479.
 Dupond v. Barstow, 45 Cal. 446.
 McMann v. O'Sullivan, 48 Cal. 7.
 Canfield v. Thompson, 49 Cal. 210.
 Umbarger v. Chaboya, 49 Cal. 525.
 Thompson v. Spencer, 50 Cal. 532.
 Morris v. De Celis, 51 Cal. 55.
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 1872, Copp's L. L. 547.
 Com'r G. L. O., Town of Chillili, Feb. 12,
 1875, 2 Copp's L. O. 101.
 Com'r G. L. O., Pueblo San Francisco,
 Nov. 11, 1878, 5 Copp's L. O. 131.
 Com'r G. L. O., Pueblo San Christobal,
 July 14, 1879, 6 Copp's L. O. 78.

Rio Hondo claims :

Com'r G. L. O., Instructions, Sept. 9, 1828.
 Com'r G. L. O., Instructions, March 23,
 1837, 2 L. I. & O. 762.
 Com'r G. L. O., Oct. 7, 1839.
 Com'r G. L. O., March 4, 1842.
 Com'r G. L. O., April 15, 1851.
 Com'r G. L. O., July 7, 1851.
 Com'r G. L. O., Oct. 28, 1851.
 Com'r G. L. O., July 29, 1873.

Settlement claims under Spanish and Mexican authority :

King v. Martin, 5 Martin (La.) 197.
 Carmichael v. Briber, 8 Martin (La.) 727.
 Higgins v. McMicken, 1 La. 53.
 Le Blanc v. Victor, 3 La. 44.
 Swift v. Williams, 3 La. 234.
 De La Housaye v. Saunders, 4 La. 443.
 Henton v. Pontalla, 1 Rob. (La.) 355.
 Riddle v. Ratiff, 8 La. Ann. 106.
 Pepper v. Dunlap, 9 La. Ann. 137.
 Innerarity v. Heirs of Mima, 1 Ala. 660.
 Pollard's heirs v. Files, 3 Ala. 47.
 Doe ex dem. Kennedy's heirs v. Jones, 11
 Ala. 63.
 Mott v. Byna, 45 Cal. 379.
 Com'r G. L. O., circular, Oct. 25, 1860,
 Copp's L. L. 523.
 Com'r G. L. O., ex parte Wedge, July 14,
 1873, Copp's L. L. 517.

Spanish grants :

Henderson v. Poindexter's lessee, 12 Wheat.
 530.
 De la Croix v. Chamberlain, 12 Wheat. 599.
 Foster & Elam v. Neilson, 2 Pet. 253.
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 United States v. Parchman, 7 Pet. 51.
 United States v. Clarke, 8 Pet. 436.
 United States v. Richard, 8 Pet. 470.
 United States v. Huertas, 8 Pet. 475.
 United States v. Gomez, 8 Pet. 477.
 United States v. Fleming's heirs, 8 Pet. 478.
 United States v. Levi, 8 Pet. 479.
 United States v. Youngs, 8 Pet. 484.
 United States v. Hernandez, 8 Pet. 485.

PRIVATE LAND CLAIMS—Continued.

Spanish grants :

United States v. Huertas, 8 Pet. 488.
 United States v. Fatio's heirs, 8 Pet. 492.
 United States v. Gibson, 8 Pet. 494.
 United States v. Clarke, 9 Pet. 168.
 United States v. Huertas, 9 Pet. 171.
 City of New Orleans v. De Armas et al., 9
 Pet. 223.
 Mitchell et al. v. United States, 9 Pet. 711.
 United States v. Fernandez et al., 10 Pet. 303.
 United States v. Segui, 10 Pet. 306.
 United States v. Chaires, 10 Pet. 308.
 United States v. Seton, 10 Pet. 309.
 United States v. Sibbald, 10 Pet. 313.
 Smith v. United States, 10 Pet. 326.
 Wherry et al. v. United States, 10 Pet. 338.
 United States v. Mills' heirs, 12 Pet. 215.
 United States v. Kingsley, 12 Pet. 476.
 Garcia v. Lee, 12 Pet. 511.
 United States v. Delespine's heirs, 12 Pet.
 654.
 United States v. Levy, 13 Pet. 81.
 United States v. Drummond, 13 Pet. 84.
 United States v. Burgevin, 13 Pet. 85.
 United States v. Arredondo's heirs, 13 Pet.
 88.
 United States v. Arredondo's heirs, 13 Pet.
 133.
 Keene v. Whitaker, 14 Pet. 170.
 United States v. Wiggins, 14 Pet. 334.
 Pollard's heirs v. Kibbe, 14 Pet. 353.
 United States v. Waterman's heirs, 14 Pet.
 478.
 United States v. Rodman, 15 Pet. 130.
 United States v. Forbes, 15 Pet. 173.
 Buyck v. United States, 15 Pet. 215.
 United States v. Delespine's heirs, 15 Pet.
 226.
 O'Hara v. United States, 15 Pet. 275.
 United States v. Delespine's heirs, 15 Pet.
 319.
 United States v. Breward, 16 Pet. 143.
 United States v. Miranda, 16 Pet. 153.
 United States v. Low, 16 Pet. 162.
 United States v. Hanson, 16 Pet. 196.
 United States v. Clarke's heirs, 16 Pet. 228.
 United States v. Acosta, 1 How. 21.
 Chouteau v. Eckhart, 2 How. 344.
 Pollard's lessee v. Files, 2 How. 591.
 Pollard's lessee v. Hagan, 3 How. 202.
 Pollard v. Hagan, 3 How. 212.
 United States v. Marvin, 3 How. 620.
 Hickey's lessee v. Stewart, 3 How. 750.
 United States v. King, 3 How. 773.
 Les Bois v. Bramell, 4 How. 449.
 United States v. Lawton, 5 How. 10.
 Kennedy's heirs v. Hunt's lessee, 7 How.
 566.
 Menard's heirs v. Massey, 8 How. 293.
 Bissell v. Penrose, 8 How. 317.
 United States v. Reynes, 9 How. 127.
 La Roche v. Jones, 9 How. 155.
 Davis v. Police jury of Concordia, 9 How.
 220.
 Goodtitle v. Kibbe, 9 How. 471.
 Landes v. Brant, 10 How. 348.
 Villalobos v. United States, 10 How. 541.
 Robinson v. Minor, 10 How. 627.
 United States v. Boladoré, 11 How. 63.
 Blanc v. Lafayette, 11 How. 104.
 Lecompte v. United States, 11 How. 115.
 United States v. Power's heirs, 11 How. 570.
 United States v. Philadelphia, 11 How. 609.
 United States v. Turner, 11 How. 663.
 United States v. Moore, 12 How. 209.
 United States v. Simon, 12 How. 433.
 United States v. Le Blanc, 12 How. 435.
 United States v. Castant, 12 How. 437.
 United States v. Hughes, 13 How. 1.
 Glenn v. United States, 13 How. 250.
 De Vilemont's heirs v. United States, 13
 How. 261.
 United States v. Heirs of Rillieux, 14 How.
 189.
 United States v. Gusman, 14 How. 193.
 Marsh v. Brooks, 14 How. 514.
 United States v. Davenport's heirs, 15
 How. 1.

PRIVATE LAND CLAIMS—Continued.

Spanish grants :

United States v. Patterson, 15 How. 10.
 United States v. Roselius, 15 How. 31.
 United States v. Ducros, 15 How. 38.
 Delauriere v. Emison, 15 How. 525.
 McCabe v. Worthington, 16 How. 86.
 Chouteau v. Molony, 16 How. 203.
 Doe v. Braden, 16 How. 635.
 Ham v. Missouri, 18 How. 126.
 Stanford v. Taylor, 18 How. 409.
 Ledoux et al. v. Black et al., 18 How. 473.
 Willot et al. v. Sandford, 19 How. 79.
 Cousin v. Blanc, 19 How. 202.
 United States v. Peralta, 19 How. 343.
 United States v. Sutherland, 19 How. 363.
 Easton v. Salisbury, 21 How. 426.
 Berthold v. McDonald et al., 22 How. 334.
 Massey et al. v. Papin, 24 How. 362.
 O'Brien v. Perry, 1 Black, 132.
 Magwire v. Tyler, 1 Black, 195.
 United States v. Anguisola, 1 Wall. 352.
 Beard v. Federy, 3 Wall. 478.
 Lanfear v. Hunley, 4 Wall. 204.
 Higuera v. United States, 5 Wall. 827.
 White v. Cannon, 6 Wall. 443.
 Maguire v. Tyler, 8 Wall. 650.
 United States v. Lynde, 11 Wall. 632.
 United States v. Innerarity, 19 Wall. 595.
 Morrison et al. v. Jackson, 2 Otto, 654.
 Ryan et al. v. Carter et al., 3 Otto, 78.
 McMicken v. United States, 7 Otto, 204.
 United States v. Watkins, 7 Otto, 219.
 Snyder v. Sickles, 8 Otto, 203.
 Scull v. United States, 8 Otto, 410.
 United States v. Baltimore, 8 Otto, 424.
 Glenn v. United States, 1 Hemp. C. C. 385.
 Villemont v. United States, 1 Hemp. C. C. 389.
 Mayor, &c., New Orleans v. Metzinger, 3 Martin (La.) 296.
 Consonlin v. Brahear, 5 Martin (La.) 33.
 White v. Wells, 5 Martin (La.) 652.
 Eotner v. Vantness, 8 Martin (La.) 644.
 Palfrey v. Martin, 3 La. 40.
 La Blanc v. Victor, 3 La. 44.
 De La Houssaye v. Saunders, 4 La. 443.
 De Armas v. Mayor of New Orleans, 5 La. 132.
 Rubas v. Bennett, 5 La. 271.
 Landry v. Martin, 15 La. 1.
 Murdock v. Gurley, 5 Rob. (La.) 458.
 Choppin v. Michel, 11 Rob. (La.) 233.
 Lafayette v. Blanc, 3 La. Ann. 59.
 Purvis v. Harmanson, 4 La. Ann. 421.
 Innerarity v. Byrne, 8 Port. (Ala.) 176.
 City of Mobile v. Eslava, 9 Port. (Ala.) 577.
 Eslava's heirs v. Bollivy et al., 22 Ala. 721.
 Tapley v. Labeaum, 1 Mo. 550.
 Waddingham v. Gamble, 4 Mo. 465.
 Wright v. Thomas, 4 Mo. 597.
 Ashley v. Cramer, 7 Mo. 98.
 Harvey v. Rusch, 67 Mo. 551.
 1 Op. Att. Gen. 102, 463; 2 id. 101; 3 id. 351.
 Secretary Treasury, instructions, July 27, 1803, 2 L. I. & O. 655.
 Secretary Treasury, instructions, March 30, 1805, 2 L. I. & O. 666.
 Secretary Treasury, instructions, July 2, 1805, 2 L. I. & O. 667.
 Secretary Treasury, instructions, Nov. 5, 1805, 2 L. I. & O. 671.
 Secretary Treasury, instructions, March 25, 1806, 2 L. I. & O. 672.
 Secretary Treasury, instructions, Sept. 8, 1806, 2 L. I. & O. 681.
 Secretary Interior, *ex parte* Clark, Jan. 5, 1871, Copp's L. L. 494.
 Secretary Interior, *ex parte* Lynde, Aug. 4, 1875, Copp's L. L. 796.
 Secretary Interior, *ex parte* Hardee, April 8, 1878, 5 Copp's L. O. 102.
 Secretary Interior, *ex parte* Sherman, 6 Copp's L. O. 128.
 Com'r G. L. O., instructions, Feb. 17, 1831, 2 L. I. & O. 744.
 Com'r G. L. O., circular, August 26, 1872, Copp's L. L. 513.

PRIVATE LAND CLAIMS—Continued.

Spanish grants :

Com'r G. L. O., *ex parte* Ducros, April 12, 1873, Copp's L. L. 527.
 Com'r G. L. O., circular, Oct. 18, 1874, Copp's L. L. 797.
 Com'r G. L. O., instructions, Aug. 7, 1874, 1 Copp's L. O. 92.
 Com'r G. L. O., circular, Sept. 15, 1875, 2 Copp's L. O. 102.
 Com'r G. L. O., circular, Feb. 13, 1879, 5 Copp's L. O. 181.

Survey :

De la Croix v. Chamberlain, 12 Wheat. 509.
 United States v. Clarke, 8 Pet. 436.
 United States v. Levi, 8 Pet. 479.
 United States v. Huertas, 8 Pet. 482.
 Delassus v. United States, 9 Pet. 117.
 Chouteau's heirs v. United States, 9 Pet. 137.
 United States v. Huertas, 9 Pet. 171.
 United States v. Seguin, 10 Pet. 306.
 United States v. Seton, 10 Pet. 309.
 United States v. Sibbald, 10 Pet. 313.
 Smith v. United States, 10 Pet. 326.
 United States v. Levy, 13 Pet. 21.
 United States v. Arredondo's heirs, 13 Pet. 133.
 O'Hara v. United States, 13 Pet. 275.
 United States v. Forbes, 15 Pet. 173.
 United States v. Breward, 16 Pet. 143.
 United States v. Miranda, 16 Pet. 153.
 United States v. Low, 16 Pet. 162.
 United States v. Hanson, 16 Pet. 196.
 United States v. Clarke's heirs, 16 Pet. 228.
 United States v. Acosta, 1 How. 24.
 United States v. Covilland, 1 How. 339.
 United States v. Lawton, 5 How. 10.
 Menard's heirs v. Massey, 8 How. 203.
 Bissell v. Penrose, 8 How. 317.
 Villalobos v. United States, 10 How. 540.
 United States v. Boisdoré, 11 How. 63.
 United States v. Simon, 12 How. 433.
 West v. Cochran, 17 How. 403.
 Fremont v. United States, 17 How. 542.
 Kissell v. St. Louis Public Schools, 18 How. 19.
 Stanford v. Taylor, 18 How. 409.
 Ledoux et al. v. Black et al., 18 How. 473.
 Cousin v. Blanc, 19 How. 202.
 Spencer v. Lapsley, 20 How. 264.
 United States v. Fossat, 20 How. 413.
 United States v. Fossat, 21 How. 445.
 Castro v. Hendricks, 23 How. 438.
 Ballance v. Forsyth et al., 24 How. 183.
 Greer et al. v. Mezes, 24 How. 268.
 Carondelet v. St. Louis, 1 Black, 179.
 Magwire v. Tyler, 1 Black, 195.
 United States v. Sepulveda, 1 Wall. 104.
 United States v. Halleck et al., 1 Wall. 439.
 Rodrigues v. United States, 1 Wall. 582.
 United States v. Vallejo, 1 Wall. 658.
 United States v. Estudillo, 1 Wall. 710.
 United States v. Billing, 2 Wall. 444.
 The Sutter Case, 2 Wall. 562.
 United States v. Pacheco, 2 Wall. 587.
 United States v. Fossat, 2 Wall. 649.
 Dehon v. Bernal, 3 Wall. 774.
 Graham v. United States, 4 Wall. 259.
 United States v. Armijo, 5 Wall. 444.
 Higuera v. United States, 5 Wall. 827.
 Alviso v. United States, 8 Wall. 337.
 Maguire v. Tyler, 8 Wall. 650.
 Carpentier v. Montgomery, 13 Wall. 480.
 Henshaw v. Bissell, 18 Wall. 255.
 Shepley et al. v. Cowan et al., 1 Otto, 330.
 Miller et al. v. Dale et al., 2 Otto, 473.
 Van Reynegan v. Bolton, 5 Otto, 33.
 Colorado Co. v. Commissioners, 5 Otto, 259.
 Hosmer v. Wallace, 7 Otto, 575.
 United States v. Throckmorton, 8 Otto, 61.
 United States v. Fremont, 1 Hoffman, L. Cas. 20.
 Villemont v. United States, 1 Hemp. C. C. 389.
 Bissell v. Henshaw, 1 Saw. C. C. 553.
 Boyer v. Hinds, 2 Saw. C. C. 527.
 Dodge v. Perez, 2 Saw. C. C. 645.
 Leroy v. Jamison, 3 Saw. C. C. 369.
 United States v. Flint, 4 Saw. C. C. 42.

PRIVATE LAND CLAIMS—Continued.

Survey :

United States v. Castro, 5 Saw. C. C. 625.
 Meaux v. Breaux, 10 Martin (La.) 364.
 Holstein v. Henderson, 12 Martin (La.) 319.
 Henderson v. St. Charles Church, 7 Martin (La.) 117.
 Gayosos v. Baldwin, 8 Martin (La.) 658.
 Baker v. Thomas, 4 La. 414.
 Lott v. Prudhomme, 3 Rob. (La.) 293.
 Hebert v. Woods, 12 La. Ann. 211.
 Arceneaux v. Benoit, 21 La. Ann. 673.
 Magee v. Doe *ex dem.* Hallett *et al.*, 22 Ala. 699.
 Ott v. Soulard, 9 Mo. 581.
 McGill v. Somers, 15 Mo. 80.
 Shelton v. Maupin, 16 Mo. 124.
 Maguire v. Tyler, 25 Mo. 484.
 Maguire v. Tyler, 30 Mo. 202.
 Smith v. Madison, 67 Mo. 694.
 Rose v. Davis, 11 Cal. 133.
 Waterman v. Smith, 13 Cal. 373.
 Scott v. Ward, 14 Cal. 279.
 Mott v. Smith, 16 Cal. 534.
 Riley v. Hersch, 18 Cal. 198.
 Johnson v. Van Dyke, 20 Cal. 225.
 Mahoney v. Van Winkle, 21 Cal. 552.
 Thornton v. Mahoney, 24 Cal. 569.
 McGarrahan v. Maxwell, 27 Cal. 75.
 Treadway v. Semple, 28 Cal. 652.
 Seale v. Ford, 29 Cal. 104.
 Love v. Shartzer, 31 Cal. 489.
 Semple v. Wright, 32 Cal. 659.
 Rich v. Maples, 33 Cal. 102.
 Mahoney v. Van Winkle, 33 Cal. 448.
 Morrill v. Chapman, 33 Cal. 85.
 Piper v. True, 36 Cal. 606.
 More v. Massini, 37 Cal. 432.
 Yates v. Smith, 38 Cal. 60.
 Shartzer v. Love, 40 Cal. 93.
 Semple v. Wall, 42 Cal. 619.
 Sabichi v. Aguilar, 43 Cal. 285.
 Miller v. Dale, 44 Cal. 562.
 Mott v. Byns, 45 Cal. 379.
 Chipley v. Farris, 45 Cal. 527.
 City of San Diego v. Allison, 46 Cal. 163.
 Cassidy v. Carr, 48 Cal. 339.
 Gallagher v. Riley, 49 Cal. 437.
 Morris v. De Celia, 51 Cal. 55.
 1 Op. Att. Gen. 361; 9 *id.* 108, 397, 420; 12 *id.* 116, 250; 14 *id.* 74, 95, 601; Nov. 5, 1875.
 Secretary Treasury, Feb. 9, 1869, 2 L. I. & O. 804.
 Secretary Treasury, Feb. 18, 1837, 2 L. L. & O. 975.
 Secretary Interior, Rancho Novato, Jan. 13, 1859, 1 Lester, 645.
 Secretary Interior, Rancho Musalacon, Feb. 23, 1859, 1 Lester, 647.
 Secretary Interior, Rancho Borregas, April 27, 1859, 1 Lester, 649.
 Secretary Interior, Rancho De Tito, July 23, 1859, 1 Lester, 650.
 Secretary Interior, Rancho Los Tularcitos, July 30, 1859, 1 Lester, 652.
 Secretary Interior, Rancho Pinole *et al.*, Aug. 10, 1859, 1 Lester, 654.
 Secretary Interior, Rancho Buelna, Sept. 1, 1859, 1 Lester, 657.
 Secretary Interior, *ex parte* Clark, Jan. 5, 1871, Copp's L. L. 494.
 Secretary Interior, Rancho Sespe, July 31, 1871, Copp's L. L. 529.
 Secretary Interior, Rancho Corte Madera, Jan. 6, 1872, Copp's L. L. 533.
 Secretary Interior, Rancho San Barnabe, Feb. 10, 1872, Copp's L. L. 547.
 Secretary Interior, Rancho Tajauta, Feb. 21, 1872, Copp's L. L. 548.
 Secretary Interior, Rancho Guadalupe, June 12, 1872, Copp's L. L. 551.
 Secretary Interior, Rancho Lompoc, July 23, 1873, Copp's L. L. 559.
 Secretary Interior, Rancho El Cajon, March 15, 1872, Copp's L. L. 559.
 Secretary Interior, instructions, July 3, 1872, Copp's L. L. 563.
 Secretary Interior, Rancho Sausal Redondo, Oct. 31, 1871, Copp's L. L. 564.

PRIVATE LAND CLAIMS—Continued.

Survey :

Secretary Interior, ex-Mission, San Buenaventura, July 18, 1874, Copp's L. L. 573.
 Secretary Interior, Rancho Las Animas, June 29, 1874, Copp's L. L. 577.
 Secretary Interior, Rancho Alisal, Oct. 18, 1873, Copp's L. L. 577.
 Secretary Interior, San Miguelito, March 17, 1874, Copp's L. L. 589.
 Secretary Interior, Rancho Caslamayomi, July 13, 1874, Copp's L. L. 589.
 Secretary Interior, instructions, Feb. 17, 1872, Copp's L. L. 601.
 Secretary Interior, Beaubien & Miranda, Dec. 31, 1869, Copp's L. L. 603.
 Secretary Interior, Beaubien & Miranda, July 27, 1871, Copp's L. L. 605.
 Secretary Interior, Eaton *et al.*, Oct. 30, 1873, Copp's L. L. 606.
 Secretary Interior, Rancho Los Trigos, Dec. 5, 1874, Copp's L. L. 611.
 Secretary Interior, Rancho Alisal, Oct. 8, 1873, 1 Copp's L. O. 116.
 Secretary Interior, Ortiz mine grant, April 22, 1876, 3 Copp's L. O. 23.
 Secretary Interior, Rancho Piedra Blanca, Aug. 8, 1876, 3 Copp's L. O. 98.
 Secretary Interior, Rancho Cuyama *et al.*, Dec. 30, 1876, 3 Copp's L. O. 165.
 Secretary Interior, instructions, March 16, 1877, 4 Copp's L. O. 4.
 Secretary Interior, Rancho Sausal Redondo, Aug. 7, 1877, 5 Copp's L. O. 5.
 Secretary Interior, Rancho Laguna Palos Colorados, Aug. 9, 1878, 5 Copp's L. O. 119.
 Secretary Interior, Pueblo San Francisco, Nov. 11, 1878, 5 Copp's L. O. 131.
 Secretary Interior, Rancho Entre Napa, May 17, 1879, 6 Copp's L. O. 36.
 Secretary Interior, Rancho Cuyama No. 2, Dec. 19, 1878, 6 Copp's L. O. 127.
 Secretary Interior, Preston Beck, Aug. 21, 1880, 7 Copp's L. O. 109.
 Com'r G. L. O., instructions, Sept. 13, 1866, Zab. L. L. 606.
 Com'r G. L. O., instructions, March 18, 1870, Copp's L. L. 452.
 Com'r G. L. O., instructions, Aug. 13, 1872, Copp's L. L. 528.
 Com'r G. L. O., Rancho Niguel, July 9, 1872, Copp's L. L. 565.
 Com'r G. L. O., ex-Mission, San Buenaventura, Aug. 1, 1873, Copp's L. L. 568.
 Com'r G. L. O., Rancho Las Animas, Oct. 13, 1873, Copp's L. L. 574.
 Com'r G. L. O., Rancho Cuyamaca, Nov. 25, 1873, Copp's L. L. 577.
 Com'r G. L. O., Rancho Najalayegua, Sept. 18, 1874, Copp's L. L. 580.
 Com'r G. L. O., Rancho Las Animas, Oct. 31, 1873, 1 Copp's L. O. 101.
 Com'r G. L. O., Rancho Alisal, April 5, 1873, 1 Copp's L. O. 116.
 Com'r G. L. O., Rancho Corral de Tierra, Oct. 30, 1874, 1 Copp's L. O. 140.
 Com'r G. L. O., Rancho Los Trigos, Aug. 29, 1874, 1 Copp's L. O. 130.
 Com'r G. L. O., Ortiz mine grant, June 19, 1875, 2 Copp's L. O. 52.
 Com'r G. L. O., Rancho Las Virgenes, Nov. 3, 1874, 2 Copp's L. O. 84.
 Com'r G. L. O., Corral de Tierra, June 29, 1875, 2 Copp's L. O. 85.
 Com'r G. L. O., Rancho Cuyama, Oct. 28, 1875, 2 Copp's L. O. 164.
 Com'r G. L. O., Rancho Cabeza de Santa Rosa, Dec. 2, 1878, 5 Copp's L. O. 148.
 Spanish and Mexican laws :
 Strother v. Lucas, 12 Pet. 410.
 United States v. Delespine, 15 Pet. 319.
 Les Bois v. Bramell, 4 How. 449.
 Bissell v. Penrose, 8 How. 317.
 Lecompte v. United States, 11 How. 115.
 United States v. Power's heirs, 11 How. 570.
 United States v. Turner, 11 How. 663.
 United States v. Moore, 12 How. 209.

PRIVATE LAND CLAIMS—Continued.

Spanish and Mexican laws:

- United States v. Simon, 12 How. 433.
 United States v. Ritchie, 17 How. 525.
 United States v. Cambuston, 20 How. 59.
 United States v. Hartnell's ex'rs, 22 How. 286.
 United States v. Teschmaker *et al.*, 22 How. 392.
 Dalton v. United States, 22 How. 436.
 United States v. Pico, 23 How. 321.
 United States v. Bolton, 23 How. 341.
 Palmer *et al.* v. United States, 24 How. 125.
 League v. Egery *et al.*, 24 How. 264.
 Foote v. Egery *et al.*, 24 How. 267.
 United States v. Hensley, 1 Black, 35.
 United States v. Knight's adm'r, 1 Black, 237.
 United States v. Vallejo, 1 Black, 541.
 United States v. Castillero, 2 Black, 17.
 Hornsby v. United States, 10 Wall. 224.
 Taming v. U. S. F. L. & E. Co., 3 Otto, 644.
 Van Reynegan v. Bolton, 5 Otto, 33.
 Trenier *et al.* v. Stewart, 11 Otto, 797.
 Den v. Hill, 1 McAllister C. C. 480.
 United States v. Hartnell, 1 Hoffman L. Cas. 207.
 United States v. Fossat, 1 Hoffman L. Cas. 211.
 United States v. Cass, 3 Saw. C. C. 477.
 San Francisco v. United States, 4 Saw. C. C. 553.
 Hammekin v. Clayton, 2 Woods, C. C. 336.
 Winter v. United States, 1 Hemp. C. C. 344.
 Secretary Interior, Beaubien & Miranda, Dec. 31, 1869.
 Secretary Interior, Beaubien & Miranda, March 16, 1877, 4 Copp's L. O. 4.
 Com'r G. L. O., Beaubien & Miranda, Sept. 10, 1869.
 Com'r G. L. O., Island Santa Rosa, Aug. 23, 1871.

PROCLAMATION—

Hardwick v. Reardon, 6 Ark. 77.

PUGET SOUND AGRICULTURAL CO.—

Puget Sound Ag. Co. v. Pierce Co., 1 Wash. Ty. 180.

RAILROAD GRANTS—

Amboy, Lansing & Traverse Bay R. R.:

Johnson v. Ballou, 28 Mich. 379.

Atchison, Topeka & Santa Fe R. R.:

A. T. & S. F. R. R. Co. v. United States, 3 Otto, 442.

13 Op. Att. Gen. 378.

Secretary Interior, Aug. 1, 1872, A. T. & S. F. R. R. Co. v. Catlin *et al.*, Copp's L. L. 394.

Secretary Interior, Nov. 13, 1873, A. T. & S. F. R. R. Co. v. Sayre, Copp's L. L. 397.

Secretary Interior, March 18, 1874, A. T. & S. F. R. R. Co. v. Krater, 5 Copp's L. O. 19.

Secretary Interior, Aug. 14, 1874, A. T. & S. F. R. R. Co. v. Stainbrook, 5 Copp's L. O. 86.

Secretary Interior, Nov. 7, 1878, A. T. & S. F. R. R. Co. v. Dodge, 5 Copp's L. O. 134.

Secretary Interior, Jan. 21, 1879, A. T. & S. F. R. R. Co. v. Turner, 5 Copp's L. O. 167.

Secretary Interior, April 4, 1879, A. T. & S. F. R. R. Co. v. Starkweather, 6 Copp's L. O. 19.

Secretary Interior, July 24, 1879, A. T. & S. F. R. R. Co. v. Brown, 6 Copp's L. O. 111.

Atlantic & Pacific R. R.:

Secretary Interior, April 15, 1874 (terminal rights), 4 Copp's L. O. 147.

Secretary Interior, June 16, 1879, S. P. R. Co. v. Langley, 6 Copp's L. O. 55.

Com'r G. L. O., Oct. 13, 1877 (Indian Territory), 4 Copp's L. O. 123.

Op. Att. Gen., Oct. 26, 1880 (nonforfeiture), unpublished.

Burlington & Missouri River R. R.:

B. & M. R. R. Co. v. Fremont County, 9 Wall. 89.

Hunnewell v. Cass County, 22 Wall. 466.

United States v. R. R. Co., 8 Otto, 334.

RAILROAD GRANTS—Continued.

Burlington & Missouri River R. R.:

Hummell v. B. & M. R. R. Co., 3 Dillon, C. C. 313.

United States v. B. & M. R. R. Co., 4 Dillon, C. C. 397.

Fremont Co. v. B. & M. R. R. Co., 22 Iowa, 91.

B. & M. R. R. Co. v. Clingman, 23 Iowa, 306.

Page Co. v. B. & M. R. R. Co., 40 Iowa, 520.

White v. B. & M. R. R. Co., 5 Neb. 393.

Stark v. Baldwin, 7 Neb. 114.

Secretary Interior, Nov. 15, 1871, B. & M. R. R. Co., Copp's L. L. 382.

Secretary Interior, April 22, 1871, B. & M. R. R. Co. v. Boyd, Copp's L. L. 392.

Secretary Interior, July 21, 1871, B. & M. R. R. Co. v. Boyd, Copp's L. L. 393.

Secretary Interior March 9, 1872, B. & M. R. R. Co. v. Latimer *et al.*, Copp's L. L. 401.

Com'r G. L. O., June 30, 1874, B. & M. R. R. Co. v. Born, 1 Copp's L. O. 67.

California & Oregon R. R.:

Ryan v. C. P. R. Co., 5 Saw. C. C. 260.

Secretary Interior, March 31, 1873, C. & O. R. Co. v. Abbott, Copp's L. L. 419.

Secretary Interior, May 31, 1875, C. & O. R. Co. v. Dougherty, 2 Copp's L. O. 52.

Secretary Interior, Nov. 30, 1875, C. & O. R. Co. v. Swift, 2 Copp's L. O. 134.

Secretary Interior, Jan. 19, 1876, C. & O. R. Co. v. McComber, 2 Copp's L. O. 163.

Secretary Interior, July 12, 1876, C. & O. R. Co. v. Harbinson *et al.*, 3 Copp's L. O. 53.

Secretary Interior, March 23, 1877, C. & O. R. Co. v. Ricketts, 4 Copp's L. O. 55.

Secretary Interior, July 20, 1876, C. & O. R. Co. v. Eaton, 5 Copp's L. O. 13.

Secretary Interior, Dec. 18, 1874, C. & O. R. Co. v. Gates, 5 Copp's L. O. 150.

Secretary Interior, April 7, 1879, C. & O. R. Co. v. Blodgett, 6 Copp's L. O. 37.

Secretary Interior, Feb. 13, 1878, C. & O. R. Co. v. Marleyhan, 7 Copp's L. O. 67.

Com'r G. L. O., March 21, 1877, C. & O. R. Co. v. Mineral Claimants, 4 Copp's L. O. 2.

Cedar Rapids & Missouri River R. R.:

Courtwright v. C. R. & M. R. R. Co., 21 Wall. 310.

State of Iowa v. Kirkwood, 14 Iowa, 162.

Courtwright v. C. R. & M. R. R. Co., 35 Iowa, 386.

Goodrich v. Beauman, 37 Iowa, 563.

Blair Town-lot Co. v. Kitteringham, 43 Iowa, 402.

C. R. & M. R. R. Co. v. County of Sac, 46 Iowa, 343.

Secretary Interior, Aug. 24, 1876, C. R. & M. R. R. Co. v. State of Iowa, 3 Copp's L. O. 84.

Secretary Interior, Aug. 11, 1876, C. R. & M. R. R. Co. v. Harmon, 3 Copp's L. O. 86.

Secretary Interior, Oct. 24, 1876, C. R. & M. R. R. Co. v. Shelmerdine, 3 Copp's L. O. 171.

Secretary Interior, Jan. 30, 1878, C. R. & M. R. R. Co. v. Colton, 4 Copp's L. O. 182.

Central Branch, Union Pacific R. R.:

Parker v. Winsor, 5 Kans. 362.

C. B. R. R. Co. v. Wilcox, 14 Kans. 259.

Secretary Interior, Nov. 16, 1874, C. B. U. P. Co. v. K. P. R. R. Co., 5 Copp's L. O. 149.

Central Pacific R. R.:

Ryan v. C. P. R. Co., 9 Otto, 362.

C. P. R. R. Co. v. Dyer, 1 Saw. C. C. 641.

C. P. R. R. Co. v. Benity, 5 Saw. C. C. 118.

Doran v. C. P. R. R. Co., 24 Cal. 245.

Butterfield v. C. P. R. R. Co., 31 Cal. 264.

Alford v. Bainum, 45 Cal. 482.

Campbell v. Buckman, 49 Cal. 362.

C. P. R. R. Co. v. Robinson, 49 Cal. 446.

RAILROAD GRANTS—Continued.

Central Pacific R. R.:

- Kaiser v. McLaughlin, 49 Cal. 449.
 Weaver v. Fairchild, 50 Cal. 300.
 Broder v. Natoma W. & M. Co., 50 Cal. 621.
 C. P. R. R. Co. v. Howard, 51 Cal. 230.
 C. P. R. R. Co. v. Howard, 52 Cal. 227.
 Secretary Interior, March 31, 1873, C. P. R. R. Co. v. Abbot, Copp's L. L. 419.
 Secretary Interior, May 14, 1875, C. P. R. R. Co. v. Dillingham, Copp's L. L. 430.
 Secretary Interior, June 22, 1873, Bank v. Lucco et al., Copp's L. L. 415.
 Secretary Interior, Dec. 21, 1877, C. P. R. R. Co. v. State of California, 4 Copp's L. O. 150.
 Secretary Interior, Jan. 30, 1879, C. P. R. R. Co. v. Beck et al., 6 Copp's L. O. 5.
 Com'r G. L. O., Jan. 15, 1873, C. P. R. R. Co. v. State of Nevada, Copp's L. L. 424.
 Com'r G. L. O., March 14, 1874, C. P. R. R. Co. v. Dutch Flat Placer, 1 Copp's L. O. 2.
 Com'r G. L. O., Nov. 12, 1874, C. P. R. R. Co. v. Mammoth B. G. Co., 1 Copp's L. O. 134.
 Com'r G. L. O., Jan. 9, 1875, circular, 1 Copp's L. O. 169.

Chicago & Mobile R. R.:

- 5 Op. Att. Gen. 518, 603.

Chicago & Northwestern R. R.:

- Eldred v. Sexton, 19 Wall. 189.
 Eldred v. Sexton, 30 Wis. 193.
 Delaplaine v. C. & N. W. R. R. Co., 42 Wis. 248.
 Diedrich v. C. & N. W. R. R. Co., 42 Wis. 249.

Chicago, Rock Island, & Pacific R. R.:

- C. R. I. & P. R. R. Co. v. Brown, 40 Iowa, 333.
 White v. C. R. I. & P. R. R. Co., 41 Iowa, 222.
 American Emigrant Co. v. C. R. I. & P. R. R. Co., 47 Iowa, 515.
 Secretary Interior, Aug. 31, 1876, C. R. I. & P. R. R. Co. v. Bell, 3 Copp's L. O. 163.

Denver & Rio Grande R. R.:

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Denver Pacific R. R.:

- Secretary Interior Aug. 19, 1874, D. P. R. R. Co. v. Longan, 1 Copp's L. O. 101.

Des Moines Navigation & R. R.:

- Walcott v. D. M. N. & R. R. Co., 5 Wall. 681.
 Williams v. Baker, 17 Wall. 144.
 Homestead Co. v. Valley R. R. Co. 17 Wall. 153.
 D. M. N. & R. R. Co. v. Cooper, 41 Iowa, 275.

Dubuque & Pacific R. R.:

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Dubuque & Sioux City R. R.:

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Flint & Pere Marquette R. R.:

- Secretary Interior Dec. 7, 1872 (Indian lands), Copp's L. L. 385.

Grand Haven, Flint & Port Huron R. R.:

- Bowers v. Heywood, 35 Mich. 241.

Grand Rapids & Indiana R. R.:

- Secretary Interior Aug. 25, 1879, G. R. & I. R. R. Co. v. Stroud, 6 Copp's L. O. 112.

Hannibal & St. Joseph R. R.:

- Baker v. Gee, 1 Wall. 333.
 H. & St. J. R. R. Co. v. Smith, 9 Wall. 95.
 H. & St. J. R. R. Co. v. Smith, 4 Mo. 310.
 H. & St. J. R. R. Co. v. Moore, 37 Mo. 338.
 Pacific Railroad v. Lindell, 39 Mo. 329.
 H. & St. J. R. R. Co. v. Moore, 45 Mo. 443.
 Lockwood v. H. & St. J. R. R. Co., 65 Mo. 233.

- Funkhouser v. Peck, 67 Mo. 20.

Hastings & Dakota R. R.:

- Secretary Interior, April 3, 1879, H. & D. R. R. Co. v. Kniskern, 6 Copp's L. O. 50.
 Secretary Interior, May 29, 1879, H. & D. R. R. Co. v. White, 6 Copp's L. O. 54.
 Secretary Interior, April 17, 1880 (deviation of route), not reported.

RAILROAD GRANTS—Continued.

Iowa Falls & Sioux City R. R.:

- I. F. & S. C. R. R. Co. v. Plymouth Co., 40 Iowa, 609.
 Secretary Interior, Oct. 30, 1874, I. F. & S. C. R. R. Co. v. Sloan, Copp's L. L. 416.
 Secretary Interior, Aug. 19, 1875, I. F. & S. C. R. R. Co. v. Wakefield, 2 Copp's L. O. 84.
 Secretary Interior, Aug. 24, 1876, I. F. & S. C. R. R. Co. v. State of Iowa, 3 Copp's L. O. 84.
 Secretary Interior, Dec. 13, 1879, I. F. & S. C. R. R. Co. v. Wakefield, 6 Copp's L. O. 161.

Illinois Central R. R.:

- Bates v. S. C. R. R. Co., 1 Black, 204.
 S. C. R. R. Co. v. United States, 20 Law Rep. 630.
 Sawyer v. Cox, 63 Ill. 130.
 Secretary Interior, Feb. 29, 1879, I. C. R. R. Co. v. Britton, Gray & Drummond.
 Com. G. L. O., Feb. 12, 1878, I. C. R. R. Co. v. State of Illinois et al., 5 Copp's L. O. 19.

Kansas Pacific R. R.:

- M. K. & T. R. R. Co. v. K. P. R. R. Co., 7 Otto, 491.
 Com'r's Douglas Co. v. U. P. R. R. Co., 5 Kans. 615.
 K. P. R. R. Co. v. Culp, 9 Kans. 38.
 Republican River Bridge Co. v. K. P. R. R. Co., 42 Kans. 409.
 K. P. R. R. Co. v. M. K. & T. R. R. Co., 15 Kans. 15.
 Secretary Interior, Oct. 3, 1871, K. P. R. R. Co. v. U. P. R. R. Southern Branch, Copp's L. L. 365.
 Secretary Interior, May 1, 1877, K. P. R. R. Co. v. Jenney, 4 Copp's L. O. 42.
 Secretary Interior, July 23, 1873, K. P. R. R. Co. v. Dudymott, 5 Copp's L. O. 69.
 Secretary Interior, Nov. 16, 1878, K. P. R. R. Co. v. Central Branch, U. P. R. R. 5 Copp's L. O. 149.
 Secretary Interior, Aug. 23, 1879, K. P. R. R. Co. v. Farnsworth, 6 Copp's L. O. 111.
 Com'r G. L. O., Nov. 17, 1873, K. P. R. R. Co. v. Hodge et al., 1 Copp's L. O. 100.
 Com'r G. L. O., Aug. 10, 1872, circular, 5 Copp's L. O. 109.

Lake Superior & Mississippi River R. R.:

- L. S. & M. R. R. R. Co. v. U. S., 3 Otto, 442.

Leavenworth, Lawrence & Galveston R. R.:

- L. L. & G. R. R. Co. v. U. S., 2 Otto, 733.
 L. L. & G. R. R. Co. v. Coffin, 16 Kans. 510.
 Secretary Interior, May 7, 1872, L. L. & G. R. R. Co. v. Arnold, Copp's L. L. 398.
 Secretary Interior, March 31, 1874, L. L. & G. R. R. Co. v. Rowley, Copp's L. L. 436.
 Com'r G. L. O., Oct. 8, 1874 (forfeiture), 1 Copp's L. O. 115.

McGregor & Missouri River R. R.:

- Op. Att. Gen., Feb. 2, 1880 (deviation in construction), 8 Wash. Law Rep. 106.
 Secretary Interior, April 9, 1880 (deviation in construction), 8 Wash. Law Rep. 249.

Memphis & Little Rock R. R.:

- Secretary Interior, May 5, 1877, M. & L. R. R. Co. v. State of Arkansas, 4 Copp's L. O. 63.

Milwaukee & St. Paul R. R.:

- United States v. M. & St. P. R. R. Co., 5 Blsall, C. C. 410.

Minnesota & St. Paul R. R.:

- Rice v. M. & St. P. R. R. Co., 1 Black, 358.

Minnesota & Northwestern R. R.:

- United States v. M. & N. W. R. R. Co., 1 Minn. 127.

- Rice v. Railway Co., 1 Black, 358.

Minnesota & Pacific R. R.:

- M. & P. R. R. Co. v. Farnsworth, 2 Otto, 49.

Missouri, Kansas & Texas R. R.:

- M. K. & T. R. R. Co. v. K. P. R. R. Co., 7 Otto, 491.
 Wood v. M. K. & T. R. R. Co., 11 Kans. 323.
 K. P. R. R. Co. v. M. K. & T. R. R. Co., 15 Kans. 15.

RAILROAD GRANTS—Continued.

Missouri, Kansas & Texas R. R. :

- Secretary Interior, Oct. 3, 1871, K. P. R. R. Co. v. U. P. R. R., Southern Branch, Copp's L. L. 365.
 Secretary Interior, Aug. 15, 1872, M. K. & T. R. R. Co. v. Block, Copp's L. L. 395.
 Secretary Interior, May 17, 1872, M. K. & T. R. R. Co. v. Arnold, Copp's L. L. 398.
 Secretary Interior, July 17, 1873, M. K. & T. R. R. Co. v. Brock *et al.*, Copp's L. L. 399.
 Secretary Interior, Feb. 23, 1872, M. K. & T. R. R. Co. v. Noble, Copp's L. L. 700.
 Secretary Interior, Aug. 10, 1872, M. K. & T. R. R. Co. v. Noble, Copp's L. L. 702.
 Secretary Interior, Jan. 26, 1872, M. K. & R. R. Co. v. Pine & Wood, Copp's L. L. 703.
 Secretary Interior, March 27, 1873, M. K. & T. R. R. Co. v. Wheeler, Copp's L. L. 704.
 Secretary Interior, March 1, 1876, M. K. & T. R. R. Co. v. Lasselle, 3 Copp's L. O. 10.
 Secretary Interior, Oct. 12, 1877, M. K. & T. R. R. Co. v. Streeter, 4 Copp's L. O. 180, 181.
 Secretary Interior, Nov. 13, 1879, M. K. & T. R. R. Co. v. Owens, 6 Copp's L. O. 163.

Missouri River, Fort Scott & Gulf R. R. :

- M. R. F. S. & G. R. R. Co. v. Morris, 13 Kans. 302.
 Secretary Interior, March 22, 1876, M. R. F. S. & G. R. R. v. Watson, 3 Copp's L. O. 7.
 Secretary Interior, Feb. 8, 1876, M. R. F. S. & G. R. R. v. Watts, 3 Copp's L. O. 9.
 Secretary Interior, Aug. 9, 1876, M. R. F. S. & G. R. R. v. Plouch, 3 Copp's L. O. 83.
 Secretary Interior, Sept. 1, 1875, M. R. F. S. & G. R. R. v. Coon, 3 Copp's L. O. 132.
 Com'r G. L. O., Oct. 8, 1874 (forfeiture), 1 Copp's L. O. 115.

Northern Pacific R. R. :

- Secretary Interior, March 27, 1873 (attachment of right), Copp's L. L. 377.
 Secretary Interior, Jan. 23, 1873, N. P. R. R. Co. v. Tunison *et al.*, Copp's L. L. 361.
 Secretary Interior, Aug. 4, 1876, N. P. R. R. Co. v. Earnsberger, 3 Copp's L. O. 85.
 Secretary Interior, Feb. 3, 1877, N. P. R. R. Co. v. O. C. R. R. Co., 3 Copp's L. O. 199.
 Secretary Interior, Aug. 14, 1878, N. P. R. R. Co. v. Hogland, 5 Copp's L. O. 107.
 Com'r G. L. O., June 19, 1874, N. P. R. R. Co. v. Engebretson, 1 Copp's L. O. 51.
 Com'r G. L. O., Dec. 28, 1874, N. P. R. R. Co. v. Hickey, 1 Copp's L. O. 181.
 Com'r G. L. O., Jan. 12, 1877, Town of Seattle v. McAleer, 3 Copp's L. O. 179.

North Wisconsin R. R. :

- Secretary Interior, Nov. 17, 1879, 6 Copp's L. O. 163.

North & South Alabama R. R. :

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 14 Op. Att. Gen. 617.

Omaha & Northwestern R. R. :

- Koenig v. O. & N. W. R. R. Co., 3 Neb. 273.

Oregon Central R. R. :

- 13 Op. Att. Gen. 3-2.
 Secretary Interior, Feb. 3, 1877, O. C. R. R. Co. v. N. P. R. R. Co., 3 Copp's L. O. 159.

Sioux City & Pacific R. R. :

- S. C. & P. R. R. Co. v. U. P. R. R. Co., 4 Dillon, C. C. 307.
 The State v. S. C. & P. R. R. Co., 7 Neb. 357.

Southern Minnesota R. R. :

- Secretary Interior, Oct. 20, 1874, S. M. R. R. Co. v. Parks *et al.*, Copp's L. L. 396.
 Secretary Interior, March 14 and April 14, 1877, S. M. R. R. Co. v. Pond, 4 Copp's L. O. 163.
 Secretary Interior, Dec. 5, 1879 (non-forfeiture), 6 Copp's L. O. 155.

RAILROAD GRANTS—Continued.

Southern Pacific Railroad :

- S. P. R. R. Co. v. Pierpont Orton, unpublished opinion, Ninth Cir. Ct., Dec. 15, 1879.
 Op. Att. Gen., June 13, 1878; July 16, 1878.
 Secretary Interior, May 9, 1873, S. P. R. R. Co. v. Stuart, Copp's L. L. 375.
 Secretary Interior, Sept. 1, 1875, S. P. R. R. Co. v. Whitaker, 2 Copp's L. O. 119.
 Secretary Interior, April 23, 1875, S. P. R. R. Co. v. Queen, 3 Copp's L. O. 5.
 Secretary Interior, Jan. 24, 1877, S. P. R. R. Co. v. Wiggins & Kellar, 4 Copp's L. O. 121.
 Secretary Interior, April 15, 1874, S. P. R. R. Co. v. A. & P. R. R. Co., 4 Copp's L. O. 147.
 Secretary Interior, Aug. 2, 1878, S. P. R. R. Co. v. Tome *et al.*, 5 Copp's L. O. 85.
 Secretary Interior, Feb. 20, 1879 (surveying expenses), 6 Copp's L. O. 4.
 Secretary Interior, May 8, 1879, S. P. R. R. Co. v. Cox, 6 Copp's L. O. 35.
 Secretary Interior, June 16, 1879, S. P. R. R. Co. v. Langley, 6 Copp's L. O. 55.
 Secretary Interior, July 2, 1879, S. P. R. R. Co. v. Serrano, 6 Copp's L. O. 93.
 Secretary Interior, Jan. 31, 1880, S. P. R. R. Co. v. Orton, 7 Copp's L. O. 10.
 Secretary Interior, Aug. 1, 1880, S. P. R. R. Co. v. Jacob, 7 Copp's L. O. 83.
 Secretary Interior, June 8, 1880, S. P. R. R. Co. v. Gower, 7 Copp's L. O. 104.
 Secretary Interior, July 29, 1880, S. P. R. R. Co. v. Whitaker, 8 Wash. Law Rep. 489.

St. Croix & Superior R. R. :

- Schulenberg v. Harriman, 21 Wall. 44.
 Schulenberg v. Harriman, 2 Dillon, C. C. 398.
 14 Op. Att. Gen. 430.

St. Joseph & Denver R. R. :

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 Secretary Interior, Sept. 3, 1872, St. J. & D. R. R. Co. v. Nickell, Copp's L. L. 399.
 Secretary Interior, Nov. 18, 1875, St. J. & D. R. R. Co. v. Barnes, 3 Copp's L. O. 132.
 Secretary Interior, Feb. 7, 1877, St. J. & D. R. R. Co. v. Thomas, 3 Copp's L. O. 197.
 Secretary Interior, Sept. 24, 1877, St. J. & D. R. R. Co. v. Thomas, 4 Copp's L. O. 119.
 Secretary Interior, March 5, 1879 (surveying expenses), 6 Copp's L. O. 162.
 Secretary Interior, Jan. 27, 1880, St. J. & D. R. R. Co. v. Wheeler, 7 Copp's L. O. 10.
 Secretary Interior, March 2, 1880, St. J. & D. R. R. Co. v. Wheeler, 7 Copp's L. O. 10.

St. Paul & Sioux City R. R. :

- St. P. & S. C. R. R. Co. v. Chamberlain, 2 Otto, 219.
 St. P. & S. C. R. R. Co. v. County of Osceola, 43 Iowa, 318.
 Brisbine v. St. P. & S. C. R. R. Co., 23 Minn. 114.
 Secretary Interior, Aug. 2, 1872, St. P. & S. C. R. R. Co. v. Halverson, Copp's L. L. 384.
 Secretary Interior, Sept. 10, 1874, St. P. & S. C. R. R. Co. v. Sutton, Copp's L. L. 435.
 Secretary Interior, Sept. 9, 1876, St. P. & S. C. R. R. Co. v. State of Minnesota, 3 Copp's L. O. 99.
 Secretary Interior, Oct. 16, 1876, St. P. & S. C. R. R. Co. v. Weaver, 3 Copp's L. O. 119.
 Com'r G. L. O., March 8, 1875, St. P. & S. C. R. R. Co. v. Hoover, 2 Copp's L. O. 119.

St. Paul & Pacific R. R. :

- Secretary Interior, Dec. 2, 1875, St. P. & P. R. R. Co. v. St. Vincent Extension Co., 2 Copp's L. O. 134.
 Secretary Interior, Aug. 14, 1876, St. P. & P. R. R. Co. v. Hage, 3 Copp's L. O. 84.

RAILROAD GRANTS—Continued.

St. Paul & Pacific R. R.:

Secretary Interior, Dec. 11, 1876, St. P. & P. R. R. Co. v. Kemper, 3 Copp's L. O. 170.
Com'r G. L. O., Aug. 19, 1875, St. P. & P. R. R. Co. v. Hill, 2 Copp's L. O. 118.
Com'r G. L. O., Sept. 4, 1879, St. P. & P. R. R. Co. v. Larson, 6 Copp's L. O. 178.

Stockton & Copperopolis R. R.:

Com'r G. L. O., Dec. 29, 1875 (forfeiture), 3 Copp's L. O. 73.

Union Pacific R. R.:

Railway Co. v. Prescott, 16 Wall. 603.
Railway Co. v. McShane, 22 Wall. 444.
United States v. U. P. R. R. Co., 1 Otto, 74.
Railway Co. v. Hall *et al.*, 1 Otto, 343.
M. K. & T. R. R. Co. v. K. P. R. R. Co., 7 Otto, 491.
Platt v. R. R. Co., 9 Otto, 48.
U. P. R. R. Co. v. Watts, 2 Dillon, C. C. 310.
U. P. R. R. Co. v. McShane, 3 Dillon, C. C. 304.
S. C. & P. R. R. Co. v. U. P. R. R. Co., 4 Dillon, C. C. 307.
United States v. B. & M. R. R. R. Co., 4 Dillon, C. C. 307.
Stalnaker v. Morrison, 6 Nebr. 363.
10 Op. Att. Gen. 127; 11 *id.* 462; 13 *id.* 127, 430.
Secretary Interior, Sept. 27, 1872, U. P. R. Co. v. Cheyenne *et al.*, Copp's L. L. 373.
Secretary Interior, March 24, 1874, U. P. R. R. Co. v. Mills, Copp's L. L. 417.
Secretary Interior, June 25, 1880, U. P. R. R. Co. v. Hahn, 7 Copp's L. O. 67.
Com'r G. L. O., Aug. 11, 1873, U. P. R. R. Co. v. R. M. Coal Co., Copp's L. L. 672.
Com'r G. L. O., July 26, 1875, U. P. R. R. Co. v. Crismon, 2 Copp's L. O. 67.
Com'r G. L. O., Dec. 3, 1875, U. P. R. R. Co. v. Arnold, 2 Copp's L. O. 131.

Western Pacific R. R.:

Newhall v. Sanger, 2 Otto, 761.
Kaiser v. McLaughlin, 49 Cal. 449.
McLaughlin v. Powell, 50 Cal. 64.
McLaughlin v. Fowler, 52 Cal. 203.
Secretary Interior, March 28, 1872, W. P. R. R. Co. v. Schwerin, Copp's L. L. 409.
Secretary Interior, Oct. 25, 1873, W. P. R. R. Co. v. Benson, Copp's L. L. 412.
Secretary Interior, July 31, 1872, W. P. R. R. Co. v. Spratt, Copp's L. L. 416.
Secretary Interior, June 11, 1873, W. P. R. R. Co. v. Scott, Copp's L. L. 420.
Secretary Interior, March 16, 1871, W. P. R. R. Co. v. Sargeant *et al.*, Copp's L. L. 421.
Secretary Interior, May 14, 1875, W. P. R. R. Co. v. Dillingham, Copp's L. L. 430.
Secretary Interior, March 23, 1875, W. P. R. R. Co. v. Fitzgerald, 2 Copp's L. O. 51.
Secretary Interior, July 15, 1875, W. P. R. R. Co. v. Stewart, Copp's L. O. 84.
Secretary Interior, Jan. 15, 1878, State of Cal. v. Townsend *et al.*, 4 Copp's L. O. 189.
Secretary Interior, Nov. 21, 1872, W. P. R. R. Co. v. Nichols, 5 Copp's L. O. 151.
Secretary Interior, March 14, 1879, W. P. R. R. Co. v. Webber, 6 Copp's L. O. 19.
Secretary Interior, Feb. 26, 1879, W. P. R. R. Co. v. Buckman, 7 Copp's L. O. 4.

Western R. R. of Minnesota:

Secretary Interior, Oct. 16, 1880 (indemnity lands), 8 Wash. Law Rep. 679.

West Wisconsin R. R.:

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Com'r G. L. O., Feb. 13, 1874 (right to lands), 2 Copp's L. O. 20.

Worthington & Sioux Falls R. R.:

Com'r G. L. O., May 10, 1877 (right of way), 4 Copp's L. O. 91.

Winona & St. Peter R. R. Co.:

State v. W. & St. P. R. R. Co., 21 Minn. 315.

RAILROAD GRANTS—Continued.

Winona & St. Peter R. R. Co.:

State v. W. & St. P. R. R. Co., 21 Minn. 472.

Secretary Interior, Oct. 8, 1877, W. & St. P. R. R. Co. v. McOnat, 4 Copp's L. O. 163.

Wisconsin Central R. R. Co.:

14 Op. Att. Gen. 202.

RECORDING ACTS—

Jacksonville v. Lamphire, 3 Pet. 280.

RES ADJUDICATA—

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Tate *et al.* v. Carney *et al.*, 24 How. 357.

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13 Op. Att. Gen. 456; 14 *id.* 74.

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Secretary Interior, Dec. 29, 1857, 1 Lester, 537.

Secretary Interior, Jones v. Roberts, Dec. 9, 1874, Copp's L. L. 251.

Secretary Interior, M. K. & T. R. R. v. Brock *et al.*, July 17, 1873, Copp's L. L. 399.

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Secretary Interior *ex parte* Rickard, Jan. 19, 1876, 2 Copp's L. O. 163.

Secretary Interior, *ex parte* Oregon, Oct. 13, 1876, 3 Copp's L. O. 119.

Secretary Interior, Foster v. State California, April 3, 1878, 5 Copp's L. O. 6.

Secretary Interior, *ex parte* Illinois, May 2, 1878, 5 Copp's L. O. 124.

Secretary Interior, Valentine v. City of Chicago, Feb. 28, 1879, 6 Copp's L. O. 22.

Secretary Interior, Daly v. Weaver, July 17, 1880, 7 Copp's L. O. 88.

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Com'r G. L. O., Portland City, Oct. 18, 1858, 1 Lester, 440.

Com'r G. L. O., *ex parte* Baca claim, March 21, 1879, 6 Copp's L. O. 18, 127.

RESERVATIONS—

Hughes v. Trustees of Clarksville, 6 Wheat. 369.

Doddridge v. Thompson, 9 Wheat. 469.

Edwards' lessee v. Darby, 12 Wheat. 206.

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Newhall v. Sanger, 2 Otto, 761.

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Indiana v. Miller, 3 McLean, C. C. 151.

United States v. Railroad Bridge Company, 6 McLean, C. C. 517.

Dupas v. Wassell, 1 Dillon, C. C. 213.

I. C. R. R. Co. v. U. S., 20 Law Rep. 630.

Joseph v. United States, 1 N. & H. 197.

Johnson v. United States, 2 N. & H. 391.

McConnel v. Wilcox, 1 Scammon, (Ills.) 344.

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Stockton v. Williams, 1 Doug. (Mich.) 546.

Demy v. Campbell, 4 Mich. 565.

Spaulding v. Martin, 11 Wis. 262.

Ruggles v. Marsillot, 19 Wis. 159.

Whitney v. Gunderson, 31 Wis. 359.

Whitney v. Nelson, 33 Wis. 265.

The State v. Delesdenier, 7 Texas, 76.

Bellow v. Todd, 34 Iowa, 18.

Culliver v. Berge, 1 Rob. (La.) 427.

RESERVATIONS—Continued.

Gaines v. Hale, 16 Ark. 9.
 Hunter v. Hemphill, 6 Mo. 106.
 Perry v. O'Hanlon, 11 Mo. 373.
 K. P. R. R. v. Culp, 9 Kans. 38.
 Republican River Bridge Co. v. U. P. R. R. Co., 12 Kans. 409.
 People v. Dana, 22 Cal. 11.
 Blanc v. Bowman, 22 Cal. 23.
 Hastings v. McGrogin, 27 Cal. 85.
 People v. Shearer, 30 Cal. 645.
 McGrary v. Hastings, 39 Cal. 360.
 Rush v. Corey, 39 Cal. 339.
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 Secretary Interior, W. P. R. R. v. Dillingham, May 14, 1875, Copp's L. L. 430.
 Secretary Interior, Hot Springs, April 23, 1875, 2 Copp's L. O. 100.
 Secretary Interior, Timmons v. Gleason, July 11, 1876, 3 Copp's L. O. 71.
 Secretary Interior, Rancho Piedra Blanca, Aug. 8, 1876, 3 Copp's L. O. 98.
 Secretary Interior, Kemper v. St. P. & P. R. R., Dec. 11, 1876, 3 Copp's L. O. 170.
 Secretary Interior, Rancho Corte Madera del Presidio, May 28, 1879, 6 Copp's L. O. 52.
 Com'r G. L. O., June 12, 1872, 2 L. I. & O. 291.
 Com'r G. L. O., Rock Island, 2 L. I. & O. 390, 509.
 Com'r G. L. O., Fort Wayne, 2 L. I. & O. 402, 827.
 Com'r G. L. O., Cantonment Brooke, 2 L. I. & O. 908.
 Com'r G. L. O., Fort Jesup, 2 L. I. & O. 951.
 Com'r G. L. O., C. P. R. R. v. State Nevada, Copp's L. L. 424.
 Com'r G. L. O., *ex parte* Meek *et al.*, April 22, 1874, 1 Copp's L. O. 21.
 Com'r G. L. O., S. & C. R. R., Dec. 29, 1875, 3 Copp's L. O. 73.
 Com'r G. L. O., Ramsey v. C. P. R. R. Co., Oct. 24, 1879, 6 Copp's L. O. 179.
 Com'r G. L. O., Rancho Punta de la Concepcion, April 20, 1880, 7 Copp's L. O. 70.

REVOLUTIONARY LAND WARRANTS AND SCRIP—

Smith v. Shane, 1 McLean, C. C. 22.
 Dupre v. McCright, 6 La. Ann. 146.
 Parker v. Wallace, 3 Ohio, 490.
 Parker v. Dunn, 4 Ohio, 233.
 McArthur v. Gallaher, 7 Ohio, 412.
 Trimble v. Brotherby, 14 Ohio, 109.
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 Com'r G. L. O., circular, Nov. 16, 1830, 2 L. I. & O. 436.
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RIPARIAN RIGHTS—

Alluvion:

County of St. Clair v. Lovington, 23 Wall. 46.
 Dunlap v. Stetson, 4 Mason, C. C. 349.
 Lovington v. County of St. Clair, 64 Ills. 56.
 Lamers v. Nissen, 4 Neb. 245.
 Smith v. City of St. Louis, 21 Mo. 36.

Public; rights of the:

Barney v. Keokuk, 4 Otto, 324.
 Leigh v. Holt, 5 Bissell, C. C. 338.
 Blanchard v. Porter, 11 Ohio, 138.
 Bainbridge v. Shillock, 29 Ind. 364.
 Shillock v. Bainbridge, 41 Ind. 35.

RIPARIAN RIGHTS—Continued.

Public; rights of the:

The People v. St. Louis, 10 Ills. 351.
 Chicago v. McGinn, 50 Ills. 266.
 Hubbard v. Bell, 54 Ills. 110.
 Baxon v. Bressler, 64 Ills. 488.
 Lorman v. Benson, 8 Mich. 18.
 Att'y-Gen'l v. Ewart Booming Co., 34 Mich. 462.
 Bay Harbor Co. v. Council, &c., Walker's Chan. Rep. (Mich.) 155.
 Jones v. Pettibone, 2 Wis. 308.
 Walker v. Stephenson, 4 Wis. 486.
 Oleson v. Merrill, 42 Wis. 203.
 Deleplaine v. C. & N. W. R. R. Co., 42 Wis. 214.
 Steven's Point Boom Co. v. Reilly, 46 Wis. 237.
 B'isbine v. St. P. & S. C. R. R. Co., 23 Minn. 114.
 Haight v. City of Keokuk, 4 Iowa, 405.
 Cook v. City of Burlington, 30 Iowa, 94.
 Tomlin v. The Dubuque and B. & M. R. R. Cos., 32 Iowa, 100.
 Cook v. City of Burlington, 36 Iowa, 357.
 Musser v. Hershey, 42 Iowa, 356.
 Houghton v. The C. D. & M. R. R. Co., 47 Iowa, 370.
 Weise v. Smith, 3 Oreg. 445.
 Dana v. Jackson St. Wharf Co., 31 Cal. 118.
 Taylor v. Underhill, 40 Cal. 471.
 Vansickle v. Harris, 7 Nev. 249.

Riparian proprietor; rights of:

R. R. Co., v. Schurmair, 7 Wall. 272.
 Yates v. Milwaukee, 10 Wall. 497.
 Barney v. Keokuk, 4 Otto, 324.
 Union M. & M. Co. v. Ferris, 2 Saw. C. C. 175.
 Union M. & M. Co. v. Dangberg, 2 Saw. C. C. 450.
 Dunlap v. Stetson, 4 Mason, C. C. 349.
 Tyler v. Wilkerson, 4 Mason, C. C. 397.
 Bowman v. Wathen, 2 McLean, C. C. 376.
 Leigh v. Holt, 5 Bissell, C. C. 338.
 Forsyth v. Small, 7 Bissell, C. C. 201.
 Granger v. Swart, 1 Woolw. C. C. 88.
 Northern Union Packet Co. v. Atlee, 2 Dillon, C. C. 479.
 Avery v. Fox, 1 Abbot (U. S.) 246.
 Gavit v. Chambers, 3 Ohio, 496.
 Blanchard v. Porter, 11 Ohio, 138.
 Walker v. Board of Public Works, 16 Ohio, 540.
 Hubbard v. City of Toledo, 21 Ohio St. 379.
 Bainbridge v. Shillock, 29 Ind. 364.
 Martin v. Evansville, 32 Ind. 85.
 State v. Pottmeyer, 33 Ind. 402.
 Shillock v. Bainbridge, 41 Ind. 35.
 Ridgway v. Ludlow, 58 Ind. 248.
 Taylor v. Flekas, 64 Ind. 168.
 Middleton v. Pritchard, 4 Ills. 510.
 The People v. St. Louis, 10 Ills. 351.
 Board of Trustees v. Havin, 10 Ills. 548.
 Stolp v. Hoyt, 44 Ills. 219.
 Chicago v. Laffin, 50 Ills. 266.
 Hubbard v. Bell, 54 Ills. 110.
 Baxon v. Bressler, 64 Ills. 488.
 Honck v. Yatea, 82 Ills. 179.
 Lorman v. Benson, 8 Mich. 18.
 Bay City, &c., v. Industrial Works, 28 Mich. 122.
 Ryan v. Brown, 18 Mich. 196.
 Clark v. Campau, 19 Mich. 325.
 Watson v. Peters, 26 Mich. 508.
 Treat v. Bates, 27 Mich. 390.
 Att'y-Gen'l v. Ewart Booming Co., 34 Mich. 462.
 Jones v. Pettibone, 2 Wis. 308.
 Walker v. Stephenson, 4 Wis. 486.
 Mariner v. Schultz, 13 Wis. 692.
 Arnold v. Elmore, 16 Wis. 509.
 Wright v. Day, 33 Wis. 260.
 Oleson v. Merrill, 42 Wis. 203.
 Deleplaine v. C. & N. W. R. R. Co., 42 Wis. 214.
 Boorman v. Sunnucks, 42 Wis. 233.
 Diedrich v. C. & N. W. R. R. Co., 42 Wis. 248.

RIPARIAN RIGHTS—Continued.*Riparian proprietor; rights of:*

- Steven's Point Boom Co. v. Reilly, 46 Wis. 257.
 Hazeltine v. Case, 46 Wis. 391.
 Schurmeir v. St. P. & P. R. R. Co., 10 Minn. 82.
 Riffe v. C. D. & M. R. R. Co., 23 Minn. 18.
 Brisbane v. St. P. & S. C. R. R. Co., 23 Minn. 114.
 McManus v. Carmichael, 3 Iowa, 11.
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 Tomlin v. The Dubuque and B. & M. R. R. Co., 32 Iowa, 106.
 Cook v. City of Burlington, 36 Iowa, 357.
 Musser v. Hershey, 42 Iowa, 356.
 Houghton v. C. D. & M. R. R. Co., 47 Iowa, 370.
 Lobdell v. Simpson, 2 Nev. 274.
 Lake v. Tolles, 8 Nev. 285.
 Shoemaker v. Hatch, 13 Nev. 261.
 Smith v. City of St. Louis, 21 Mo. 36.
 St. Louis Public Schools v. Risley, 40 Mo. 356.
 Benson v. Morrow, 61 Mo. 315.
 Ferrea v. Knipe, 28 Cal. 340.
 Dana v. Jackson St. Wharf Co., 31 Cal. 118.
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 Com'r G. L. O., Feb. 20, 1874, Copp's L. L. 763.
 Com'r G. L. O., *ex parte* Taylor *et al.*, Nov. 5, 1874, 1 Copp's L. O. 155.
 Com'r G. L. O., Wolf Lake, Feb. 12, 1878, 5 Copp's L. O. 19.
 Secretary Interior, Feb. 2, 1880, 7 Copp's L. O. 57.

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ROBINSON, WALLACE, RELIEF OF—

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ROSITA, TOWN OF—

- Adams v. Binkley, 4 Colo. 247.

SACRAMENTO, CITY OF—

- Cornwall v. Culver, 16 Cal. 424.
 County of Yolo v. City of Sacramento, 36 Cal. 193.

SALT LAKE CITY—

- Pratt v. Young, 1 Utah, 343.

SALT SPRINGS—

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SAN FRANCISCO—*Acts of Congress:*

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 Harris v. McGovern, 2 Saw. C. C. 215.
 United States v. Carr *et al.*, 3 Saw. C. C. 477.
 Woodworth v. Fulton, 1 Cal. 295.

Alcalde grants:

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 Montgomery v. Bevans *et al.*, 1 Saw. C. C. 653.
 Walker v. Marks, 2 Saw. C. C. 152.
 Palmer v. Low, 2 Saw. C. C. 248.
 Hall *et al.* v. Unger *et al.*, 4 Saw. C. C. 672.
 Woodworth v. Fulton, 1 Cal. 295.
 Reynolds v. West, 1 Cal. 322.
 Brown v. O'Conner, 1 Cal. 419.
 Cobas v. Raisin, 3 Cal. 443.

SAN FRANCISCO—Continued.*Alcalde grants:*

- Chapin v. Browne, 8 Cal. 294.
 Noe v. Card, 14 Cal. 577.
 Payne v. Treadwell, 16 Cal. 221.
 Hubbard v. Barry, 21 Cal. 321.
 Brahan v. Mayor, & Co., 24 Cal. 585.
 Rice v. Cunningham, 29 Cal. 492.
 Lick v. Diaz, 30 Cal. 65.
 Wilson v. Cleveland, 30 Cal. 192.
 Donner v. Palmer, 31 Cal. 501.
 Lick v. Diaz, 37 Cal. 437.
 Glaswood v. Hastings, 38 Cal. 216.

Mexican grant:

- Lynch v. Bernal, 9 Wall. 315.
 San Francisco v. United States, 4 Saw. C. C. 553.
 Grisar v. McDowell, 4 Saw. C. C. 597.
 United States v. Hare *et al.*, 4 Saw. C. C. 653.
 Tripp v. Spring, 5 Saw. C. C. 209.
 Welch v. Sullivan, 8 Cal. 164.
 Norton v. Hyatt, 8 Cal. 540.
 Hart v. Burnett, 15 Cal. 530.
 Brown v. San Francisco, 16 Cal. 452.
 Leese v. Clark, 18 Cal. 535.
 Fulton v. Hanlon, 20 Cal. 450.
 Stevenson v. Bennett, 35 Cal. 424.
 Bernal v. Lynch, 36 Cal. 133.
 Com'r G. L. O., Nov. 11, 1878, 5 Copp's L. O. 131.

Reservations:

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 People v. Dana, 22 Cal. 11.
 Blanc v. Bowman, 22 Cal. 23.
 Le Roy v. Cunningham, 44 Cal. 599.

State legislation:

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 Palmer v. Low, 8 Otto. 1.
 Palmer v. Low, 2 Saw. C. C. 243.
 Tripp v. Spring, 5 Saw. C. C. 209.
 Seabury v. Field, 1 McAllister C. C. 1.
 Freidman v. Goodwin, 1 McAllister C. C. 142.
 Chapin v. Browne, 8 Cal. 294.
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 Hart v. Burnett, 15 Cal. 530.
 Holladay v. Frisbie, 15 Cal. 630.
 Wheeler v. Miller, 16 Cal. 125.
 People v. Kruger, 19 Cal. 411.
 People v. Dana, 22 Cal. 11.
 Blanc v. Bowman, 22 Cal. 23.
 Seabury v. Arthur, 28 Cal. 142.
 Ellis v. Eastman, 32 Cal. 447.
 People v. Klumpke, 41 Cal. 264.
 Spencer v. Winselman, 42 Cal. 479.
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 Hart v. Burnett, 15 Cal. 530.
 Wolf v. Baldwin, 19 Cal. 306.
 White v. Moses, 21 Cal. 34.
 Carleton v. Townsend, 28 Cal. 219.
 Borel v. Rollins, 30 Cal. 409.
 Davis v. Perley, 30 Cal. 630.
 Polack v. McGrath, 32 Cal. 15.
 Brooks v. Hyde, 37 Cal. 306.
 Valentine v. Mahoney, 37 Cal. 390.
 Judson v. Mallon, 40 Cal. 300.
 Broad v. Broad, 40 Cal. 493.
 McLean v. Benton, 43 Cal. 467.
 Pattee v. Moyle, 44 Cal. 343.
 Dupont v. Barstow, 45 Cal. 446.
 Iberg v. Snaet, 47 Cal. 265.
 Howell v. Rogers, 47 Cal. 291.
 Sill v. Russ, 47 Cal. 295.

SAN DIEGO, CITY OF—

- City of San Diego v. Allison, 46 Cal. 163.

SANDUSKY RIVER—

- Com'r G. L. O., July 19, 1836, 2 L. I. & O. 398.

SAN JOSE, CITY OF—

- City of San José v. Trimble, 41 Cal. 536.
 Romie v. Casanova, 45 Cal. 131.
 City of San José v. Shaw, 45 Cal. 178.

SANTA CLARA, TOWN OF—

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SCHOOL LANDS—

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Huff v. Doyle *et al.*, 3 Otto, 558.

State v. Gray, 4 Wis. 350.

Op. Att. Gen. July 12, 1878.

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Secretary Interior, Townsend *et al.* v. State of Cal., Jan. 15, 1878, 4 Copp's L. O. 189.

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Secretary Interior, Watson v. State of Cal., Jan. 22, 1880, 7 Copp's L. O. 193.

Secretary Interior, Abila v. State of Cal., July 28, 1880, 7 Copp's L. O. 106.

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Deficiency and indemnity; right to, and when title attaches:

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Dicken's lessee v. Mahana, 21 How. 276.

Hedrick v. Hughes, 15 Wall. 123.

Trustees of Greene township v. Campbell, 16 Ohio St. 11.

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Secretary Interior, State Cal. v. Halle, April 8, 1872, Copp's L. L. 324.

Secretary Interior, State Cal. v. Brown, July 10, 1871, Copp's L. L. 328.

Secretary Interior, McCully v. State Cal., Jan. 16, 1872, Copp's L. L. 329.

Secretary Interior, Taylor v. State Cal., March 9, 1875, Copp's L. L. 330.

Secretary Interior, Bird v. State Cal., May 25, 1871, Copp's L. L. 444.

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Secretary Interior, Selby v. State Cal., March 10, 1876, 3 Copp's L. O. 4.

Secretary Interior, Selby v. State Cal., Aug. 18, 1876, 3 Copp's L. O. 89.

Secretary Interior, Selby v. State Cal., May 3, 1879, 6 Copp's L. O. 138.

Secretary Interior, Moeller v. State Cal., Dec. 13, 1878, 6 Copp's L. O. 75.

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Secretary Interior, Abila v. State Cal., July 28, 1880, 7 Copp's L. O. 106.

Secretary Interior, Ketcham v. State Cal., July 21, 1880, 7 Copp's L. O. 107.

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Com'r G. L. O., circular, July 13, 1805, 2 L. I. & O. 260.

Com'r G. L. O., April 4, 1817, 2 L. I. & O. 290.

Com'r G. L. O., Oct. 5, 1820, 2 L. I. & O. 420.

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SCHOOL LANDS—Continued.

Deficiency and indemnity; right to, and when title attaches:

Com'r G. L. O., circular, June 25, 1844, 1 Lester, 493.

Com'r G. L. O., circular, March 6, 1854, 1 Lester, 494.

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Exceptions and reservations:

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Cooper v. Roberts, 18 How. 173.

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Dickens' lessee, v. Mahana, 21 How. 276.

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Minnesota v. Bachelder, 7 Minn. 121.

Kansas v. Stringfellow, 2 Kans. 263.

Nevada v. Blaisdel, 4 Nev. 241.

SCHOOL LANDS—Continued.

Granted land, when title attaches to :

- Heydenfeldt v. Daney G. & S. Mg. Co., 10 Nev. 290.
 Layton v. Howell, 11 Nev. 451.
 Higgins v. Houghton, 25 Cal. 252.
 Middleton v. Low, 30 Cal. 596.
 Sherman v. Buick, 45 Cal. 656.
 Finney v. Berger, 50 Cal. 248.
 Kennett v. Cole, 13 Mo. 139.
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 Secretary Interior, (Kansas,) Sept. 23, 1858, 1 Lester, 498.
 Secretary Interior, (Minnesota,) June 20, 1850, 1 Lester, 499.
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 Com'r G. L. O., June 2, 1836, 2 L. I. & O. 520.
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Indian titles, effect of :

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Power of State in executing grant :

- Springfield Township v. Quick et al., 22 How. 56.
 Davis v. Indiana, 4 Otto, 792.
 State v. Trustees, &c., 2 Ind. 293.
 State v. Springfield Township, 6 Ind. 83.
 Bradley v. Cox, 4 Ills. 585.
 Trustees, &c., v. Allen, 21 Ills. 120.
 Stout v. Hyatt, 13 Kans. 232.
 Nevada v. Rhodes, 4 Nev. 312.
 Wyman v. Banvard, 23 Cal. 524.
 9 Op. Att. Gen. 346.
 Secretary Interior, ex parte Weightman, Sept. 23, 1858, 1 Lester, 498.
 Secretary Interior, Watson v. State of Cal., Jan. 28, 1860, 6 Copp's L. O. 193.

Purchase from State :

- Wisconsin v. Janssen, 2 Wis. 311.
 State v. Gray, 4 Wis. 380.
 State v. Commissioners, 6 Wis. 334.
 State v. Commissioners, 17 Wis. 248.
 Jensen v. Weinlander, 25 Wis. 477.
 Douglass v. Dorsey, 27 Wis. 119.
 Harrington v. Smith, 28 Wis. 43.
 Kansas v. Emmett, 19 Kans. 546.
 O'Neill v. Cleveland, 3 Nev. 485.
 State v. Sickles, 9 Ind. 67.
 People v. State Auditor, 2 Scam. (Ills.) 567.
 Trustees, &c., v. Allen, 21 Ills. 120.
 Hurst v. Hawn, 5 Oreg. 275.
 Dolbeque v. Tabor, 23 Cal. 279.
 Hildebrand v. Stewart, 41 Cal. 387.
 Hogan v. Winslow, 45 Cal. 588.
 Finney v. Berger, 50 Cal. 248.
 Stanway v. Rubio, 51 Cal. 41.

Reservation of :

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 Secretary Interior, ex parte Noble, Feb. 23, 1872, Copp's L. L. 700.
 Secretary Interior, ex parte Falls, March 9, 1872, Copp's L. L. 704.
 Secretary Interior ex parte Bald, Oct. 27, 1876, 3 Copp's L. O. 114.
 Secretary Interior ex parte Kinney, Dec. 3, 1879, 6 Copp's L. O. 153.
 Secretary Interior, Lowe v. State Colo., Dec. 27, 1879, 7 Copp's L. O. 66.

SCHOOL LANDS—Continued.

Reservation of :

- Com'r G. L. O., Oct. 5, 1829, 2 L. I. & O. 421.
 Com'r G. L. O., circular, Aug. 30, 1832, 2 L. I. & O. 466.
 Com'r G. L. O., circular, Oct. 21, 1834, 2 L. I. & O. 597.
 Com'r G. L. O., Silver Cliff v. State Colo., Dec. 18, 1879, 6 Copp's L. O. 152.
 Com'r G. L. O., ex parte Kinney, June 13, 1879, 6 Copp's L. O. 152.
 Com'r G. L. O., ex parte Koppin, July 29, 1880, 7 Copp's L. O. 87.

State patents :

- State v. Harvey, 11 Wis. 33.
 McCabe v. Mazzuchelli, 13 Wis. 478.
 State v. Burnett, 26 Wis. 412.
 Sexton v. Appleyard, 34 Wis. 235.
 People v. State Auditor, 2 Scam. (Ills.) 567.
 Trustees v. Allen, 21 Ills. 120.
 Middleton v. Low, 30 Cal. 596.

State school warrants ; nature, effect, and mode of transfer :

- Smith v. Turner, 5 Wis. 551.
 Bull v. Sheppard, 7 Wis. 449.
 Smith v. Clark, 7 Wis. 620.
 Mowry v. Wood, 12 Wis. 413.
 Dodge v. Silverthorn, 12 Wis. 644.
 Jarvis v. Dutcher, 16 Wis. 307.
 Lefferts v. B'd of Supervisors, 21 Wis. 688.
 Gunderson v. Cook, 33 Wis. 551.
 Henderson v. The State, 43 Ind. 60.
 Hagenbull v. Reed, 3 Neb. 17.
 Prescott v. Beebe, 17 Kans. 320.
 Nevada v. Sharon, 7 Nev. 241.
 Richter v. Riley, 23 Cal. 659.
 True v. Simpson, 42 Cal. 293.
 Stanway v. Rubio, 51 Cal. 41.
 Trigg v. Handley, 52 Cal. 244.
 Secretary Interior, State Cal. v. Pike et al., Sept. 26, 1871, Copp's L. L. 446.
 Secretary Interior, Holcomb et al. v. State Cal., July 8, 1879.
 Com'r G. L. O., Holcomb et al. v. State Cal., Sept. 25, 1878.

Selection of :

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 Com'r G. L. O., June 12, 1827, 2 L. I. & O. 404.
 Com'r G. L. O., June 15, 1831, 2 L. I. & O. 454.
 Com'r G. L. O., circular, Aug. 30, 1832, 2 L. I. & O. 466.
 Com'r G. L. O., circular, Dec. 6, 1832, 2 L. I. & O. 472.
 Com'r G. L. O., circular, July 21, 1834, 2 L. I. & O. 497.
 Com'r G. L. O., June 2, 1836, 2 L. I. & O. 520.
 Com'r G. L. O., Aug. 20, 1836, 2 L. I. & O. 524.
 Com'r G. L. O., circular, Sept. 8, 1874, Copp's L. L. 484.

Village lots in Missouri :

- Kissell v. Public Schools, 18 How. 19.
 Bowlin v. Furman, 28 Mo. 429.
 Mitchell v. Handfield, 31 Mo. 431.
 Patterson v. Hogan, 38 Mo. 70.
 Glasgow v. Lindell, 50 Mo. 60.

SIOUX HALF-BREED SCRIP—

- United States v. Chapman, 5 Saw. C. C. 528.
 Monette v. Cratt, 7 Minn. 234.
 Hope v. Stone, 10 Minn. 114.
 Sharon v. Wooldrick, 18 Minn. 354.
 Thompson v. Myrick, 20 Minn. 205.
 Parker v. Duff, 47 Cal. 554.
 Secretary Interior, ex parte Hutchinson, July 18, 1859, 1 Lester, 499.
 Secretary Interior, Murray v. St. Antoine, May 24, 1859, 1 Lester, 614.
 Secretary Interior, Town of Wabashaw, June 14, 1859, 1 Lester, 635.
 Secretary Interior, U. P. R. R. Co. v. Town of Cheyenne, Sept. 27, 1882, Copp's L. L. 373.
 Secretary Interior, Bird et al. v. State Cal., May 25, 1871, Copp's L. L. 444.
 Com'r G. L. O., circular, March 21, 1857, 1 Lester, 627.

SIOUX HALF-BREED SCRIP—*Continued.*

- Com'r G. L. O., circular, Feb. 22, 1864,
Zab. L. L. 310.
Com'r G. L. O., circular, Feb. 22, 1864,
Copp's L. L. 721.
Com'r G. L. O., circular, Jan. 29, 1872,
Copp's L. L. 723.
Com'r G. L. O., *ex parte* Park Silver. Mg.
Co., June 26, 1874, Copp's L. L. 724.
Com'r G. L. O., circular, Nov. 12, 1874,
Copp's L. L. 725.
Com'r G. L. O., Wolf Lake, Feb. 12, 1878, 5
Copp's L. O. 19.
Com'r G. L. O., circular, May 28, 1878, 5
Copp's L. O. 126.

ST. AUGUSTINE, TOWN OF—

- Com'r G. L. O., April 20, 1834, 2 L.I. & O.
955.

ST. CHARLES, VILLAGE OF—

- Jarvis v. Gurno, 4 Mo. 458.
Bird v. Montgomery, 6 Mo. 510.
Robbins v. Eckler, 36 Mo. 494.

ST. JOSEPH RIVER—

- Williams v. Bradley, 2 Ind. 591.
Board of Com'rs v. Pidge, 5 Ind. 13.

ST. LAWRENCE RIVER—

- Neaderhouser v. The State, 28 Ind. 257.
Moore v. Sanborne, 2 Mich. 520.

ST. LOUIS—

Town lots, commons, &c. :

- Strother v. Lucas, 12 Pet. 410.
Les Bois v. Bramell, 4 How. 449.
Menard's heirs v. Massey, 8 How. 293.
Kissell v. St. Louis Public Schools, 18 How.
19.
Willot v. Sandford, 19 How. 79.
Carondelet v. St. Louis, 1 Black, 179.
Glasgow *et al.* v. Hortiz *et al.*, 1 Black, 595.
Clark v. Brazeau, 1 Mo. 290.
Mackay v. Dillon, 7 Mo. 7.
Hammond v. St. Louis, 8 Mo. 65.
Trotter v. Board, &c., of St. Louis, 9 Mo. 69.
Eberle v. Board, &c., of St. Louis, 11 Mo.
157.
Kissell v. Board, &c., of St. Louis, 16 Mo.
553.
City of Carondelet v. McPherson, 20 Mo.
192.
Smith v. City of St. Louis, 21 Mo. 36.
St. Louis Public Schools v. Hammond, 21
Mo. 238.
City of St. Louis v. Toney, 21 Mo. 243.
Maguire v. Page, 23 Mo. 168.
Papin v. Hines, 23 Mo. 274.
Milburn v. Hortiz, 23 Mo. 532.
Tayon v. Hardman, 23 Mo. 539.
Fine v. St. Louis, 23 Mo. 520.
Vasquez v. Ewing, 24 Mo. 31.
Schultz v. Lindell, 24 Mo. 567.
City of Carondelet v. City of St. Louis, 25
Mo. 448.
St. Louis University v. McCune, 28 Mo.
481.
Milburn v. Hardy, 28 Mo. 514.
Milburn v. Hortiz, 28 Mo. 523.
City of Carondelet v. City of St. Louis, 29
Mo. 527.
St. Louis Public Schools v. Erskine, 31 Mo.
110.
Adams v. City of St. Louis, 32 Mo. 25.
St. Louis Gas-Light Co. v. Reies, 33 Mo. 551.
Fine v. St. Louis, &c., 39 Mo. 59.
St. Louis Public Schools v. Risley, 40 Mo.
356.
St. Louis Public Schools v. Schoenthaler,
40 Mo. 372.
St. Louis Public Schools v. Walker, 40 Mo.
383.
Glasgow v. Lindell, 50 Mo. 60.

SURVEYS—

Deposit for :

- Com'r G. L. O., circular, May 6, 1871,
Copp's L. L. 756.
Com'r G. L. O., circular, Feb. 25, 1873,
Copp's L. L. 759.
Com'r G. L. O., *ex parte* Baca, Sept. 10,
1874, Copp's L. L. 760.
Com'r G. L. O., circular, March 5, 1880, 7
Copp's L. O. 7.

SURVEYS—*Continued.**Effect of :*

- Pollard *et al.* v. Dwight, 4 Cranch, 421.
Taylor & Brown v. Quarles, 5 Cranch, 224.
Rutherford v. Green's heirs, 2 Wheat. 196.
Craig v. Bradford, 3 Wheat. 594.
Taylor's lessee v. Myera, 7 Wheat. 23.
Elmendorf v. Taylor, 10 Wheat. 152.
Chinoweth v. Haskell's lessee, 3 Pet. 92.
Ellicott & Meredith v. Pearl, 10 Pet. 412.
Brown's lessee v. Clements, 3 How. 650.
Haydel v. Dufresne, 17 How. 23.
Meehan *et al.* v. Forsythe, 21 How. 175.
Lindsey v. Hawes, 2 Black, 554.
R. R. Co. v. McShane, 22 Wall. 444.
Harris v. Burcham, 1 Wall. jr. C. C. 191.
Griffith v. Bradshaw, 4 Wash. C. C. 171.
Hastings v. Stevenson, 2 Ohio, 9.
Wycoff v. Stevenson, 14 Ohio, 13.
Latham v. Offrey, 18 Ohio, 104.
Stubblefield v. Boggs, 2 Ohio St. 216.
Gwin v. Brandeau, 29 Ohio St. 656.
McClintock v. Rodgers, 11 Ill. 279.
Yates v. Shaw, 24 Ill. 368.
Houck v. Yates, 82 Ill. 179.
Hunt v. Rowley, 87 Ill. 491.
Rice v. Ruddiman, 10 Mich. 125.
Jones v. Pettibone, 2 Wis. 308.
Kane v. Parker, 4 Wis. 123.
Brayton v. Merriman, 6 Wis. 14.
Vroman v. Dewry, 23 Wis. 530.
McEvoy v. Loyd, 31 Wis. 142.
Ledoux v. Black, 5 La. Ann. 510.
Lytle v. The State, 17 Ark. 608.
Rector v. Gaines, 19 Ark. 70.
Campbell v. Clark, 6 Mo. 219.
McGill v. Somers, 15 Mo. 80.
Dent v. Segerson, 29 Mo. 429.
Gibson v. Choteau, 39 Mo. 536.
Taylor v. Woodward, 10 Cal. 90.
Mott v. Smith, 16 Cal. 534.
Grogan v. Knight, 27 Cal. 516.
Keeran v. Griffith, 31 Cal. 462.
Serrano v. Ransom, 47 Cal. 52.
3 Op. Att. Gen. 697.
Com'r G. L. O., *ex parte* Knott, Dec. 22,
1875, 2 Copp's L. O. 146.

Mistake in :

- Shipp v. Miller's heirs, 2 Wheat. 316.
Bernard's heirs v. Ashley's heirs, 18 How.
43.
Coon v. Pew, 1 Pet. C. C. 496.
Mitchell v. Thompson, 1 McLean, C. C. 96.
Harlan v. Thatcher, 18 Ohio, 48.
Hamil v. Carr, 21 Ohio St. 258.
Martz v. Williams, 67 Ill. 306.
Martin v. Carlin, 19 Wis. 454.
Moreland v. Page, 2 Iowa, 72.
Kittridge v. Laundry, 2 Rob. (La.) 72.
Nolin v. Parmer, 21 Ala. 66.
Rector v. Gaines, 19 Ark. 70.

Private :

- Smith v. United States, 10 Pet. 326.
United States v. Hanson, 16 Pet. 196.
Mackey v. Dillon, 4 How. 421.
Bissell v. Penrose, 8 How. 317.
Op. Att. Gen., Nov. 5, 1875.

Rules of :

- Bodley v. Taylor, 5 Cranch, 1.
Taylor v. Walton, 1 Wheat. 141.
Johnson v. Pannell's heirs, 2 Wheat. 206.
McDowell v. Peyton, 10 Wheat. 454.
Littlepage v. Fowler, 11 Wheat. 215.
McDonald's heirs v. Smalley, 6 Pet. 261.
Cochran's lessee v. Nelson, 3 How. 157.
Gazzam v. Phillip's lessee, 20 How. 372.
Bates v. I. C. R. R. Co., 1 Black, 204.
Railroad Co. v. Schurmeir, 7 Wall. 272.
Hedrick v. Hughes, 15 Wall. 123.
County of St. Claire v. Lovington, 23
Wall. 46.
Morrow v. Whitney, 5 Otto, 551.
Buel v. Tuley, 4 McLean, C. C. 268.
Robinson v. Moore, 4 McLean, C. C. 279.
Barnard v. Ashley, Hemp. C. C. 665.
McKinney v. McKinney, 8 Ohio St. 423.
Jones v. Kimble, 19 Wis. 429.
Clute v. Briggs, 22 Wis. 607.
Boorman v. Sunnucks, 42 Wis. 233.

SURVEYS—Continued.

Rules of:

- Moreland v. Page, 2 Iowa, 139.
 Musser v. Hershey, 42 Iowa, 356.
 Lawrence v. Grout, 12 La. Ann. 835.
 Waters v. Commons, 2 Port. (Ala.) 38.
 Lowen v. Smith, 7 Port. (Ala.) 428.
 Wharton v. Littlefield, 30 Ala. 245.
 Billingsley v. Dates, 30 Ala. 376.
 Campbell v. Clark, 8 Mo. 553.
 Reed v. Conway, 20 Mo. 22.
 Reed v. Conway, 26 Mo. 13.
 Clarke v. Hammerle, 36 Mo. 690.
 Knight v. Elliott, 57 Mo. 317.
 Frazier v. Bryant, 59 Mo. 121.
 Vaughn v. Tate, 64 Mo. 491.
 Lamers v. Nissen, 4 Neb. 245.
 Goodman v. Myrick, 5 Oreg. 65.
 Robinson v. Forrest, 29 Cal. 317.
 People v. Henderson, 40 Cal. 29.
 Oakley v. Stuart, 52 Cal. 521.
 Shoemaker v. Hatch, 13 Nev. 261.
 1 Op. Att. Gen. 323; 2 id. 57; 3 id. 281, 284.
 Secretary Treasury, circular, March 15, 1805, 2 L. I. & O. 254.
 Secretary Interior, Jan. 28, 1880, 6 Copp's L. O. 175.
 Com'r G. L. O., instructions, May 2, 1828, 2 L. I. & O. 407.
 Com'r G. L. O., circular, May 25, 1831, 2 L. I. & O. 449.
 Com'r G. L. O., instructions, Oct. 12, 1832, 2 L. I. & O. 468.
 Com'r G. L. O., instructions, June 17, 1823, 2 L. I. & O. 716.
 Com'r G. L. O., instructions, Aug. 13, 1823, 2 L. I. & O. 721.
 Com'r G. L. O., instructions, Aug. 21, 1834, 2 L. I. & O. 843.
 Com'r G. L. O., instructions, July 28, 1831, 2 L. I. & O. 915.
 Com'r G. L. O., circular, May 8, 1832, 2 L. I. & O. 933.
 Com'r G. L. O., instructions, Aug. 23, 1832, 2 L. I. & O. 938.
 Com'r G. L. O., instructions, Dec. 30, 1836, 2 L. I. & O. 970.
 Com'r G. L. O., circular, Feb. 22, 1855, 1 Lester, 703.
 Com'r G. L. O., Nov. 16, 1854, 1 Lester, 728.
 Com'r G. L. O., circular, July 24, 1873, Copp's L. L. 760.
 Com'r G. L. O., instructions, March 13, 1874, Copp's L. L. 761.
 Com'r G. L. O., *ex parte* Diller, April 20, 1874, Copp's L. L. 762.
 Com'r G. L. O., *ex parte* Woodworth, Nov. 9, 1874, Copp's L. L. 763.
 Com'r G. L. O., Feb. 20, 1874, Copp's L. L. 763.
 Com'r G. L. O., circular, July 13, 1874, Copp's L. L. 765.
 Com'r G. L. O., circular, Dec. 1, 1874, Copp's L. L. 766.
 Com'r G. L. O., circular, June 26, 1880, 7 Copp's L. O. 92.

SOSCOL RANCHO—

- Hastings v. McGrogin, 27 Cal. 85.
 Page v. Hobbs, 27 Cal. 484.
 Page v. Fowler, 28 Cal. 605.
 Page v. Fowler, 37 Cal. 100.
 Hulton v. Frisbie, 37 Cal. 475.
 Durfee v. Plaisted, 38 Cal. 80.
 Frisbie v. Marques, 39 Cal. 451.
 Tormey v. True, 45 Cal. 105.
 Sheehy v. True, 45 Cal. 276.
 Thompson v. True, 48 Cal. 601.
 11 Op. Att. Gen. 490.
 Com'r G. L. O., Jan. 13, 1866.

SWAMP GRANT—

Arkansas:

- Secretary Interior, May 5, 1877, 4 Copp's L. O. 63.

Effect of grant:

- Railroad Company v. Fremont County, 9 Wall. 89.
 Railroad Company v. Smith, 9 Wall. 95.
 Martin v. Marks, 7 Otto, 345.

SWAMP GRANT—Continued.

Effect of grant:

- American Emigrant Co. v. County of Adams, 10 Otto, 61.
 American Emigrant Co. v. County of Wright, Sup. Ct., Dec. term, 1877.
 Supervisors, &c., v. State's Attorney, 31 Ills. 68.
 Grantham v. Atkins, 63 Ills. 359.
 Thompson v. Prince, 67 Ills. 281.
 Keller v. Brickey, 78 Ills. 133.
 Busche v. Donohue, 31 Mich. 481.
 Dole v. Turner, 34 Mich. 405.
 Barrett v. Brooks, 21 Iowa, 144.
 Fremont County v. B. & M. R. R. Co., 22 Iowa, 91.
 Boynton v. Miller, 42 Iowa, 579.
 C. R. L. & P. R. R. Co. v. Brown, 40 Iowa, 333.
 American Emigrant Company v. C. R. L. & P. R. R. Co., 47 Iowa, 515.
 Fletcher v. Pool, 20 Ark. 100.
 Branch v. Mitchell, 24 Ark. 432.
 Ringe v. Rotan, 29 Ark. 56.
 H. & St. J. R. R. Co. v. Smith, 40 Mo. 310.
 Foster v. Evans, 51 Mo. 39.
 Clarkson v. Buchanan, 53 Mo. 563.
 Campbell v. Wortman, 58 Mo. 258.
 Masterson v. Marshall, 65 Mo. 94.
 Gaston v. Scott, 5 Oreg. 48.
 Owens v. Jackson, 9 Cal. 322.
 Summers v. Dickinson, 9 Cal. 354.
 Kile v. Tubbs, 23 Cal. 431.
 Keeran v. Griffith, 27 Cal. 87.
 Keeran v. Allen, 33 Cal. 542.
 Wright v. Carpenter, 47 Cal. 436.
 Thompson v. Thornton, 50 Cal. 142.
 Sutton v. Fassett, 51 Cal. 12.
 9 Op. Att. Gen. 253; 11 id. 467; March 4, 1878.
 Secretary Interior, June 21, 1856, 1 Lester, 555.
 Secretary Interior, Jan. 8, 1858, 1 Lester, 558.
 Secretary Interior, Dec. 2, 1874, Copp's L. L. 475.
 Secretary Interior, Dec. 10, 1874, Copp's L. L. 435.
 Secretary Interior, June 28, 1880, Copp's L. L. 770.

Execution of trust by State:

- American Emigrant Co. v. County of Adams, 10 Otto, 61.
 American Emigrant Co. v. County of Wright, Sup. Ct., Dec. term, 1877.
 State v. Hastings, 11 Wis. 448.
 Barrett v. Brooks, 21 Iowa, 144.
 Keltner v. Story County, 23 Iowa, 35.
 Page County v. B. & M. R. R. Co., 40 Iowa, 520.
 Dunklin Co. v. Dist. Court, 23 Mo. 449.
 Kimball v. Reclamation Fund Com'rs, 45 Cal. 344.

Illinois:

- Secretary Interior, Feb. 2, 1874, 1 Copp's L. O. 23.
 Secretary Interior, May 2, 1878, 5 Copp's L. O. 124.
 Secretary Interior, April 5, 1880, 7 Copp's L. O. 27.
 Secretary Interior, April 6, 1880, 7 Copp's L. O. 28.
 Secretary Interior, June 28, 1880, 7 Copp's L. O. 70.
 Com'r G. L. O., Feb. 17, 1879, 7 Copp's L. O. 9.

Indemnity:

- American Emigrant Co. v. County of Adams, 10 Otto, 61.
 Fletcher v. Pool, 20 Ark. 100.
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 Secretary Interior, Feb. 2, 1874, Copp's L. L. 480.
 Secretary Interior, July 25, 1877, 4 Copp's L. O. 92.
 Secretary Interior, May 2, 1878, 5 Copp's L. O. 124.
 Secretary Interior, Aug. 20, 1878, 5 Copp's L. O. 173.

SWAMP GRANT—Continued.

Indemnity:

Secretary Interior, Dec. 9, 1878, 7 Copp's L. O. 9.
 Secretary Interior, April 6, 1880, 7 Copp's L. O. 28.
 Com'r G. L. O., March 18, 1872, Copp's L. L. 479.

Minnesota:

Secretary Interior, Dec. 4, 1877, 4 Copp's L. O. 149.

Missouri:

Com'r G. L. O., March 23, 1872, Copp's L. L. 482.

Nebraska:

Com'r G. L. O., Jan. 19, 1874, 1 Copp's L. O. 5.

Nevada:

Com'r G. L. O., May 2, 1871, 1 Copp's L. O. 5.

Oregon:

Secretary Interior, Dec. 2, 1874, Copp's L. L. 475.
 Secretary Interior, Dec. 2, 1876, 3 Copp's L. O. 172.
 Secretary Interior, Jan. 6, 1879, 5 Copp's L. O. 179.
 Secretary Interior, April 15, 1880, 7 Copp's L. O. 28.
 Secretary Interior, June 4, 1880, 7 Copp's L. O. 53.

Patents:

French v. Fyan, *et al.*, 3 Otto, 169.
 Smith v. Goodell, 6 Ills. 450.
 Att'y-Gen'l v. Thomas, 31 Mich. 365.
 Gaston v. Scott, 5 Oreg. 48.
 Owens v. Jackson, 9 Cal. 322.
 Summers v. Dickerson, 9 Cal. 554.
 Peoplo v. Stratton, 25 Cal. 242.
 Keeran v. Griffith, 27 Cal. 87.
 Carder v. Baxter, 28 Cal. 99.
 Robinson v. Forrest, 29 Cal. 317.
 Keeran v. Griffith, 31 Cal. 462.
 Randall v. Fay, 32 Cal. 354.
 Keeran v. Allen, 33 Cal. 542.
 Keeran v. Griffith, 34 Cal. 540.
 Kimball v. Reclamation Fund Com'rs, 45 Cal. 344.
 Read v. Caruthers, 47 Cal. 181.
 Mahen v. Richardson, 50 Cal. 333.
 9 Op. Att. Gen. 253.
 Secretary Interior, Dec. 23, 1851, 1 Lester, 549.
 Secretary Interior, Jan. 14, 1856, 1 Lester, 554.
 Secretary Interior, Dec. 29, 1857, 1 Lester, 557.
 Secretary Interior, Oct. 24, 1858, 1 Lester, 562.
 Secretary Interior, Nov. 1, 1858, 1 Lester, 563.
 Secretary Interior, Dec. 2, 1858, 1 Lester, 565.
 Secretary Interior, June 25, 1859, 1 Lester, 569.
 Secretary Interior, June 22, 1859, 1 Lester, 570.
 Secretary Interior, April 15, 1880, 7 Copp's L. O. 28.
 Secretary Interior, June 4, 1880, 7 Copp's L. O. 53.

Purchasers from State:

American Emigrant Co. v. County of Adams, 10 Otto, 61.
 People v. State Treasurer, 7 Mich. 365.
 Remeau v. Mills, 24 Mich. 15.
 Att'y-Gen'l v. Smith, 31 Mich. 359.
 Att'y-Gen'l v. Thomas, 31 Mich. 365.
 Davis v. Filer, 40 Mich. 310.
 Barden v. Smith, 7 Wis. 439.
 Mowry v. Smith, 10 Wis. 509.
 Conklin v. Hawthorn, 29 Wis. 476.
 Rogers v. Voss, 6 Iowa, 405.
 Gwyn v. Decatur, 9 Iowa, 278.
 Calvin v. McCosky, 9 Iowa, 585.
 Wilson v. McLernan, 20 Iowa, 30.
 Spitel v. Scofield, 43 Iowa, 571.
 State v. Register, 48 Mo. 59.
 Owens v. Jackson, 9 Cal. 322.

SWAMP GRANT—Continued.

Purchasers from State:

Montgomery v. Carson, 16 Cal. 189.
 Kile v. Tubbs, 23 Cal. 431.
 People v. Morrill, 26 Cal. 336.
 Thornton v. Thompson, 28 Cal. 602.
 McNear v. Hutchinson, 31 Cal. 177.
 Taylor v. Underhill, 40 Cal. 471.
 Borland v. Lewis, 43 Cal. 569.
 Kimball v. Reclamation Fund Com'rs, 45 Cal. 344.
 Cox v. Jones, 47 Cal. 412.
 Edwards v. Estell, 48 Cal. 194.
 Allen v. Dale, 50 Cal. 80.
 Ringstorf v. Guth, 50 Cal. 86.
 Mahen v. Richardson, 50 Cal. 333.
 Keena v. Doherty, 51 Cal. 3.
 Farran v. Board of Supervisors, 51 Cal. 307.
 Yoakum v. Brower, 52 Cal. 373.

Selections, mode and effect of &c.:

Secretary Interior, Sept. 6, 1856, 1 Lester, 339.
 Secretary Interior, Dec. 3, 1851, 1 Lester, 549.
 Secretary Interior, Sept. 18, 1855, 1 Lester, 553.
 Secretary Interior, Jan. 15, 1856, 1 Lester, 555.
 Secretary Interior, Nov. 1, 1858, 1 Lester, 563.
 Secretary Interior, April 20, 1859, 1 Lester, 568.
 Secretary Interior, May 21, 1859, 1 Lester, 569.
 Secretary Interior, Oct. 13, 1876, 3 Copp's L. O. 119.
 Secretary Interior, April 5, 1880, 7 Copp's L. O. 27.
 Secretary Interior, April 15, 1880, 7 Copp's L. O. 28.
 Secretary Interior, June 4, 1880, 7 Copp's L. O. 53.
 Com'r G. L. O., Nov. 21, 1850, 1 Lester, 543.
 Com'r G. L. O., Feb. 11, 1856, 1 Lester, 545.
 Com'r G. L. O., Jan. 22, 1858, 1 Lester, 559.
 Com'r G. L. O., Jan. 27, 1876, 2 Copp's L. O. 180.

Survey of:

Secretary Interior, Dec. 12, 1878, 6 Copp's L. O. 29.
 Com'r G. L. O., Nov. 21, 1850, 1 Lester, 543.
 Com'r G. L. O., Nov. —, 1855, 1 Lester, 703.
 Com'r G. L. O., Feb. 22, 1855, 1 Lester, 718.

Swampy character, proof of:

Secretary Interior, July 7, 1855, 1 Lester, 552.
 Secretary Interior, Oct. 4, 1855, 1 Lester, 553.
 Secretary Interior, Nov. 18, 1856, 1 Lester, 556.
 Secretary Interior, Aug. 12, 1858, 1 Lester, 561.
 Secretary Interior, Jan. 17, 1859, 1 Lester, 567.
 Secretary Interior, May 21, 1859, 1 Lester, 569.
 Secretary Interior, Aug. 1, 1859, 1 Lester, 571.
 Secretary Interior, Dec. 2, 1874, Copp's L. L. 475.
 Secretary Interior, Oct. 13, 1876, 3 Copp's L. O. 119.
 Secretary Interior, Jan. 6, 1879, 5 Copp's L. O. 179.
 Secretary Interior, Dec. 23, 1877, 5 Copp's L. O. 22.
 Secretary Interior, June 4, 1880, 7 Copp's L. O. 53.
 Com'r G. L. O., Nov. 21, 1850, 1 Lester, 543.
 Com'r G. L. O., Feb. 11, 1856, 1 Lester, 545.
 Com'r G. L. O., Dec. 21, 1853, 1 Lester, 551.
 Com'r G. L. O., Jan. 22, 1858, 1 Lester, 559.
 Com'r G. L. O., Jan. 15, 1874, Copp's L. L. 472.
 Com'r G. L. O., March 20, 1874, 1 Copp's L. O. 35.
 Com'r G. L. O., May 5, 1874, 1 Copp's L. O. 39.
 Com'r G. L. O., Jan. 27, 1876, 2 Copp's L. O. 180.
 Com'r G. L. O., Dec. 9, 1878, 7 Copp's L. O. 9.

SYMMES, JOHN CLEVE, PURCHASE—

American State Papers, vol. 16, pp. 67, 127.
 Reynolds v. McArthur, 2 Pet. 417.
 Ewing v. Burnet, 11 Pet. 41.
 Harmer v. Morris, 1 McLean, C. C. 44.
 Buel v. Tuley, 4 McLean, C. C. 268.
 2 Op. Att. Gen. 246.
 2 L. I. & O. 231, 240, 252, 770, 774.

TAXATION—*Effect of tax sale :*

Stewart v. Parish, 6 Ohio, 477.
 Wallace v. Seymour, 7 Ohio, 156.
 Douglas v. Dangerfield, 14 Ohio, 522.
 Groyne v. Niswanger, 15 Ohio, 368.
 Miliker v. Starling, 16 Ohio, 61.
 Harlan v. Thatcher, 18 Ohio, 48.
 Groyne v. Niswanger, 18 Ohio, 400.
 Groyne v. Niswanger, 20 Ohio, 556.
 Clark v. Southerland, 16 Ohio St. 408.
 Matthews v. Rector, 24 Ohio St. 439.
 Thompson v. Prince, 67 Ills. 281.
 Gaither v. Lauson, 31 Ark. 279.
 Sensitive v. Smith, 66 Mo. 80.

Foreign grants :

Board of Com'rs v. Cent. Colo. Imp. Co., 5 Otto, 250.
 Board of Com'rs v. Cent. Colo. Imp. Co., 2 Colo. 628.
 Robinson v. Gaar, 6 Cal. 273.
 Palmer v. Boling, 8 Cal. 384.
 Moore v. Smaw, 17 Cal. 199.
 Rich v. Maples, 33 Cal. 102.

Indian lands :

The Kansas Indians, 5 Wall. 737.
 Swape v. Purdy, 1 Dillon, C. C. 349.
 Peck v. Miami Co., 4 Dillon, C. C. 307.
 Farrington v. Wilson, 29 Wis. 383.
 Quinney v. Town of Stockbridge, 33 Wis. 505.
 Blue Jacket v. Com'rs, &c., 3 Kans. 299.
 Com'rs, &c., v. Wau-zop-pe-che, 3 Kans. 364.
 Parker v. Winsor, 5 Kans. 362.
 Com'rs Douglas Co. v. U. P. R. R. Co., 5 Kans. 615.
 Com'rs Miami Co. v. Breckenridge, 12 Kans. 114.

Legislative contracts for exemption :

State of New Jersey v. Wilson, 7 Cranch, 164.
 Spooner v. McConnell, 1 McLean, C. C. 337.
 Matthey v. Golden, 5 Ohio St. 361.
 The People v. The Auditor General, 9 Mich. 134.
 First Division R. R. Co. v. Pachor, 14 Minn. 87.
 State v. W. & St. P. R. R. Co., 21 Minn. 315.
 State v. W. & St. P. R. R. Co., 21 Minn. 472.
 Fisher v. Wisner, 34 Iowa, 447.
 Mayor of New Orleans et al. v. Picquet, 2 La. 474.
 Bishop v. Marks, 15 La. Ann. 147.
 State of Arkansas v. County Court, &c., 19 Ark. 360.
 The People v. Morrison, 22 Cal. 73.

Power of States to tax, &c. :

Witherspoon v. Duncan, 4 Wall. 210.
 McGoon v. Scales, 9 Wall. 23.

When lands, originally public, become subject to :

Witherspoon v. Duncan, 4 Wall. 210.
 McGoon v. Scales, 9 Wall. 23.
 Railway Co. v. Prescott, 16 Wall. 673.
 Railway Co. v. McShane, 22 Wall. 444.
 Forbes v. Gracey, 4 Otto, 762.
 Astrom v. Hammond, 3 McLean, C. C. 107.
 Carroll v. Perry, 4 McLean, C. C. 25.
 U. P. R. R. Co. v. McShane, 3 Dillon C. C. 364.
 Hunnell v. B. & M. R. R. Co., 3 Dillon, C. C. 313.
 Sands v. Davis, 40 Mich. 14.
 Ross v. Board of Supervisors, 12 Wis. 29.
 McKay v. Board of Supervisors, 12 Wis. 46.
 Leferts v. Board of Supervisors, 21 Wis. 628.
 Kalder v. Kugan, 30 Wis. 126.
 Whitney v. Gunderson, 31 Wis. 359.
 Whitney v. Nelson, 33 Wis. 365.
 Eaton v. Lyman, 33 Wis. 34.
 Minnesota v. Bachelder, 5 Minn. 223.

TAXATION—Continued.*When lands, originally public, become subject to :*

Des Moines Navigation Co. v. Co. of Polk, 10 Iowa, 1.
 Tallman v. Treasurer, 12 Iowa, 531.
 Stockdale v. Treasurer of Webster Co., 12 Iowa, 536.
 Stryker v. Polk Co., 22 Iowa, 131.
 Goodrich v. Beaman, 37 Iowa, 563.
 Litchfield v. Co. of Hamilton, 40 Iowa, 66.
 L. F. & S. C. R. R. Co. v. Plymouth Co., 40 Iowa, 619.
 S. C. & St. P. R. R. Co. v. Co. of Osceola, 41 Iowa, 318.
 C. R. & M. R. R. Co. v. Co. of Sac, 46 Iowa, 343.
 Scott v. Chickasaw Co., 46 Iowa, 253.
 Witherspoon v. Duncan, 21 Ark. 240.
 K. P. R. R. Co. v. Culp, 9 Kans. 38.
 Hobson v. Dutton, 9 Kans. 477.
 M. R. F. S. & G. R. R. Co. v. Morris, 13 Kans. 302.
 Com'rs &c., v. Shipman, 14 Kans. 532.
 Oswalt v. Hallowell, 15 Kans. 154.
 Prescott v. Beebe, 17 Kans. 320.
 Franklin v. Kelly, 2 Neb. 79.
 Hagenbuck v. Reed, 3 Neb. 17.
 White v. B. & M. R. R. Co., 5 Neb. 393.
 Bellenger v. White, 5 Neb. 399.
 Donovan v. Klocke, 6 Neb. 124.
 Iverson v. Hance, 1 Wyoming, 270.
 Puget Sound Agricultural Co. v. Pierce Co., 1 Wash. Ty. 180.
 Hicks v. Bell, 3 Cal. 219.
 State v. Moore, 12 Cal. 56.
 People v. Shearer, 30 Cal. 645.
 People v. Frisbie, 31 Cal. 146.
 People v. Cohen, 31 Cal. 210.
 People v. B. D. C. M. Co., 37 Cal. 54.
 C. P. R. R. Co. v. Howard, 51 Cal. 230.
 C. P. R. R. Co. v. Howard, 52 Cal. 227.
 Hale & Norcross v. Storey Co., 1 Nev. 104.
 People v. Logan, 1 Nev. 109.
 State v. Real Del Monte Co., 1 Nev. 523.
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TENANTS BY THE CURTESY—

McDaniel v. Grace, 15 Ark. 465.

TENANTS IN COMMON, JOINT TENANTS, AND JOINT ENTRIES—

McClung v. Ross, 5 Wheat. 116.
 Willison v. Watkins, 3 Pet. 43.
 Lamb v. Wakefield, 1 Saw. C. C. 251.
 The Four-Twenty Mining Co. v. The Bullion Mining Co., 3 Saw. C. C. 634.
 In re Swearinger & Lamar, 5 Saw. C. C. 52.
 Challefoux v. Ducharme, 4 Wis. 554.
 Whitney v. Morrow, 34 Wis. 644.
 Taber v. Levi, Morris (Iowa) 372.
 Telford v. Barney, 1 Greene (Iowa), 575.
 Haight v. City of Keokuk, 4 Iowa, 405.
 Patten v. Ashley, 8 Ark. 290.
 Gaines v. Hale, 16 Ark. 9.
 Ashley v. Rector, 20 Ark. 359.
 Gillette v. Gaffney, 3 Colo. 351.
 Waring v. Crow, 11 Cal. 366.
 Mahoney v. Van Winkle, 21 Cal. 552.
 Rowe v. Bacigalluppi, 21 Cal. 633.
 Coleman v. Clements, 23 Cal. 245.
 Bradley v. Harkins, 26 Cal. 69.
 Goller v. Fett, 30 Cal. 481.
 Lawrence v. Ballou, 37 Cal. 518.
 Frisbie v. Marques, 39 Cal. 451.
 Broad v. Broad, 40 Cal. 493.
 Strang v. Ryan, 46 Cal. 33.
 Morenhaut v. Wilson, 52 Cal. 226.
 Mallett v. The Uncle Sam. Mg. Co., 1 Nev. 188.
 Downes v. Scott, 3 Rob. (La.) 84.
 Secretary Interior, Jan. 8, 1858, Laughton, v. Caldwell, 1 Lester 387.
 Secretary Interior, Sept. 22, 1859, Ross v. Schepp, 1 Lester 393.
 Secretary Interior, Dec. 19, 1872, Hyatt v. Smith, Copp's L. L. 469.
 Secretary Interior, Dec. 16, 1873, Davis v. McClay et al., 1 Copp's L. O. 6.
 Secretary Interior, April 8, 1875, Powell v. Beatty, 2 Copp's L. O. 115.

TENANTS IN COMMON, JOINT TENANTS,
AND JOINT ENTRIES—*Continued.*

Secretary Interior, May 8, 1880, O'Leary v. Zollars, 7 Copp's L. O. 32.
Com'r G. L. O., March 31, 1873, circular, Copp's L. L. 301.
Com'r G. L. O., March 18, 1870, circular, Copp's L. L. 452.
Com'r G. L. O., April 15, 1873, circular, Copp's L. L. 668.
Com'r G. L. O., June 8, 1874, Vennigerholtz v. McKennon *et al.*, 6 Copp's L. O. 154.

TIMBER DEPREDATIONS—

United States v. Briggs, 9 How. 351.
Cotton v. United States, 11 How. 229.
United States v. Cook, 19 Wall. 591.
United States v. Nelson, 5 Saw. C. C. 68.
Schulenberg v. Harriman, 2 Dillon, C. C. 398.
Woodruff v. Roberts, 4 La. Ann. 127.
Brock v. Smith, 14 Ark. 431.
James v. Snelson, 3 Mo. 278.
Turley v. Tucker, 6 Mo. 523.
Bower v. Higbee, 9 Mo. 259.
Kuton v. Audsley, 19 Mo. 362.
Ballou v. O'Brien, 20 Mich. 304.
Grant v. Smith, 26 Mich. 201.
Johnson v. Ballou, 28 Mich. 379.
State v. Commissioner, 19 Wis. 237.
Paine v. White, 21 Wis. 423.
Hughill v. Wilson, Morris (Iowa), 383.
Kansas v. Harold, 9 Kans. 104.
Stevens v. Perrier, 12 Kans. 297.
Peck v. Brown, 5 Nev. 81.
Eureka Mg. Co. v. Way, 9 Nev. 349.
1 Lester, 465, note.
Com'r G. L. O., circular, Dec. 24, 1855, Zab. L. L. 888.
Com'r G. L. O., circular, Sept. 1, 1865, Zab. L. L. 891.
Com'r G. L. O., circular, Dec. 24, 1855, Copp's L. L. 653.
Com'r G. L. O., circular, June 29, 1874, 1 Copp's L. O. 102.
Com'r G. L. O., circular, May 2, 1877, 4 Copp's L. O. 55.

TOLEDO, CITY OF—

Grant for public highway and for sewerage and water purposes:

Hubbard v. City of Toledo, 21 Ohio St. 379.

TOWN SITES—

Act of May 23, 1844:

Stark v. Starr, 6 Wall. 402.
Stark v. Starr, 1 Saw. C. C. 15.
Lownsdale v. City of Portland, 1 Deady, C. C. 8.
Root v. Shields, 1 Woolw. C. C. 340.
Caah & Spalding, appellants, 6 Mich. 193.
Clarke v. Roy, 20 Wis. 478.
Perry v. Superior City, 26 Wis. 66.
Leech v. Rauch, 3 Minn. 448.
Castner v. Gunther, 6 Minn. 63.
Maxfield v. Bierbauer, 8 Minn. 413.
Weisberger v. Tenney, 8 Minn. 456.
Cathcart v. Kortam, 11 Minn. 45.
City of Winona v. Huff, 11 Minn. 119.
Carson v. Smith, 12 Minn. 546.
Coy v. Coy, 15 Minn. 119.
Winfield Town Co. v. Morris, 11 Kans. 128.
Independence Town Co. v. DeLong, 11 Kans. 152.
Sherry v. Sampson, 11 Kans. 611.
McTaggart v. Harrison, 12 Kans. 62.
Emmett v. DeLong, 12 Kans. 67.
Selter v. Avery, 15 Kans. 157.
Towsley v. Johnson, 1 Neb. 95.
Tecumseh Town-site Case, 3 Neb. 267.
Burbank v. Ellis, 7 Neb. 156.
Marlin v. T'Vault, 1 Oreg. 77.
Lownsdale v. City of Portland, 1 Oreg. 381.
Whitelowe v. Reese, 4 Oreg. 335.
Robinson v. Imperial S. Mg. Co., &c., 5 Nev. 44.
Treadway v. Wilder, 8 Nev. 91.
Treadway v. Wilder, 9 Nev. 67.
Doll v. Meador, 16 Cal. 296.
Ricks v. Reed, 19 Cal. 551.
Ryan v. Tomlinson, 31 Cal. 2.

TOWN SITES—*Continued.*

Act of May 23, 1844:

Secretary Interior, Clay City, April 13, 1852, 1 Lester, 442.
Secretary Interior, Superior City, July 2, 1858, 1 Lester, 432.
Secretary Interior, Superior City, Sept. 15, 1859, 1 Lester, 443.
Secretary Interior, Keposia, Aug. 18, 1856, 1 Lester, 431.
Secretary Interior, Monticello, July 9, 1852, 1 Lester, 435.
Secretary Interior, Plattsburg, Nov. 5, 1852, 1 Lester, 441.
Secretary Interior, Wabashaw, June 14, 1859, 1 Lester, 635.
Com'r G. L. O., Portland City, Oct. 18, 1852, 1 Lester, 437.

Act of May 23, 1864:

Coffield v. McClellan, 1 Colo. 370.

Acts of July 1, 1864, and March 3, 1865:

Bell v. The Bed Rock Tunnel and Mg. Co., 36 Cal. 214.
Jones v. City of Petaluma, 38 Cal. 397.
Alemany v. City of Petaluma, 33 Cal. 554.
Com'r G. L. O., circular, Aug. 20, 1864, Zab. L. L. 179.
Com'r G. L. O., circular, April 26, 1865, Zab. L. L. 181.
Com'r G. L. O., circular, Oct. 20, 1865, Zab. L. L. 185.
Com'r G. L. O., Mountain View, April 4, 1865, Zab. L. L. 196.
Com'r G. L. O., Allman v. Thulon, Dec. 7, 1871, Copp's L. L. 600.

Act of March 2, 1867:

Hussy v. Smith, 9 Otto, 20.
Stringfellow v. Cain, 9 Otto, 610.
Cannon v. Pratt, 9 Otto, 619.
Allen v. Houston, 21 Kans. 194.
Ivinson v. Hance, 1 Wyoming, 270.
Hussy v. Smith, 1 Utah, 129.
Fraust v. Town-site, 1 Utah, 197.
Pratt v. Young, 1 Utah, 347.
Edwards v. Tracy, 2 Montana, 49.
Hall v. Ashby, 2 Montana, 489.
Georgetown v. Glaze, 3 Colo. 230.
Tucker v. McCoy, 3 Colo. 234.
Gillett v. Gaffney, 3 Colo. 351.
Adams v. Binkley, 4 Colo. 247.
Lechler v. Chapin, 12 Nev. 65.
Secretary Interior, Springville, July 8, 1871, Copp's L. L. 683.
Secretary Interior, Salt Lake, Aug. 9, 1871, Copp's L. L. 636.
Secretary Interior, King City, April 28, 1874, Copp's L. L. 696.
Secretary Interior, June 8, 1875, 2 Copp's L. O. 85.
Secretary Interior, Grantsville, Oct. 1, 1873, 6 Copp's L. O. 109.
Com'r G. L. O., circular, Sept. 21, 1862, Copp's L. L. 678.
Com'r G. L. O., circular, June 29, 1874, Copp's L. L. 683.
Com'r G. L. O., Deeverville, Dec. 7, 1872, Copp's L. L. 695.
Com'r G. L. O., Turner v. Lang, June 16, 1874, Copp's L. L. 692.
Com'r G. L. O., Central City, Dec. 23, 1875, 2 Copp's L. O. 150.
Com'r G. L. O., Concordia, June 5, 1876, 3 Copp's L. O. 50.
Com'r G. L. O., Seattle, Jan. 12, 1877, 3 Copp's L. O. 179.
Com'r G. L. O., Coneburg, April 7, 1877, 4 Copp's L. O. 45.
Com'r G. L. O., Laramie, Oct. 11, 1877, 4 Copp's L. O. 132.
Com'r G. L. O., Seattle, March 19, 1879, 6 Copp's L. O. 136.

TREATIES, FOREIGN—

Cession of Louisiana (1800 and 1803):

Soulard v. United States, 4 Pet. 511.
Delassus v. United States, 9 Pet. 117.
McDonogh v. Millandon, 3 How. 693.
United States v. Reynes, 9 How. 127.
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TREATIES, FOREIGN—Continued.

Cession of Louisiana (1800 and 1803):

United States v. Lynde, 11 Wall. 632.
Secretary Interior, *ex parte* Daniel Clark,
Jan. 5, 1871, Copp's L. L. 494.

Cession of the Floridas:

American Ins. Co. v. Canter, 1 Pet. 511.
Foster *et al.* v. Neilson, 2 Pet. 253.
United States v. Arredondo, 6 Pet. 691.
United States v. Percheman, 7 Pet. 51.
United States v. Clarke, 8 Pet. 436.
United States v. Clarke, 9 Pet. 168.
Mitchell v. United States, 9 Pet. 711.
United States v. Fernandez, 10 Pet. 303.
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Strother & Lucas, 12 Pet. 410.
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Doe & Braden, 16 How. 635.
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France and Spain (1762):

Villalobos v. United States, 10 How. 540.
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Great Britain, France, and Spain (1763):

Montault v. United States, 12 How. 47.

Great Britain and United States (1794):

Harden v. Fisher, 1 Wheat. 300.

Guadalupe Hidalgo:

United States v. Moreno, 1 Wall. 400.
Townsend *et al.* v. Greeley, 5 Wall. 326.
Seabury v. Field, 1 McAllister, C. C. 1.
Friedham v. Goodwin, 1 McAllister, C. C.
142.

Mackay v. Dillon, 7 Mo. 7.

Secretary Interior, Rancho Los Trigos,
Feb. 28, 1874, Copp's L. L. 607.

Secretary Interior, Dallas v. White, Jan. 25,
1878, 5 Copp's L. O. 82.

TRUSTEES AND TRUSTS—

Wilson v. Mason, 1 Cranch, 45.
Massie v. Watts, 6 Cranch, 148.
Ringo *et al.* v. Binns *et al.*, 10 Pet. 269.
Carroll v. Safford, 3 How. 441.
Cunningham v. Ashley, 14 How. 377.
Warren v. Van Brunt, 19 Wall. 646.
Cowell v. Colorado Springs Co., 10 Otto, 55.
Lamb v. Davenport, 1 Saw. C. C. 609.
Lamb v. Vaughn, 2 Saw. C. C. 161.
Hardy v. Harbin, 4 Saw. C. C. 536.
Norton v. Meader, 4 Saw. C. C. 603.
Root v. Shields, 1 Woolw. C. C. 340.
Stephenson v. Smith, 7 Mo. 610.
Thompson v. Renoe, 12 Mo. 157.
Groves v. Fulsome, 16 Mo. 543.
Carman v. Johnson, 20 Mo. 108.
Cloud v. Ivie, 28 Mo. 578.
Hill v. Miller, 36 Mo. 182.
Fenwick v. Gill, 38 Mo. 510.
Higgins v. Higgins, 55 Mo. 346.
McAlpin v. Henshaw, 6 Kans. 176.
White v. Allen, 3 Oreg. 103.
Dolbequy v. Tabor, 22 Cal. 279.
Salmon v. Symonds, 30 Cal. 301.
Settembre v. Putnam, 30 Cal. 490.
Wilson v. Castro, 31 Cal. 421.
Bludworth v. Lake, 33 Cal. 255.
Walley v. Foreman, 38 Cal. 90.
Hess v. Bollinger, 48 Cal. 349.
McCreary v. Casey, 50 Cal. 349.
Hollinshead v. Simma, 51 Cal. 158.
Rose v. Treadway, 4 Nev. 455.

UNITED BRETHREN, GRANT TO, &c.—

Secretary Treasury, April 26, 1803, 2 L. I.
& O. 232.

Com'r G. L. O., June 29, 1894, 2 L. I. & O.
381.

2 L. I. & O. 766, 768.

UNIVERSITY LANDS—

Regents of University v. Host, 7 Minn. 61.
Combs v. Jelly, 28 Cal. 498.
Buhne v. Chism, 48 Cal. 467.
6 Op. Att. Gen. 725.
Secretary Treasury, Sept. 3, 1834, 2 L. I. &
O. 595.
Secretary Interior, Dec. 13, 1855, 1 Lester,
496.
Secretary Interior, Glover v. University of
Cal., Aug. 12, 1872, Copp's L. L. 321.

UNIVERSITY LANDS—Continued.

Secretary Interior, University of Cal. v.
Block, Aug. 26, 1874, Copp's L. L. 322.

Secretary Interior, Aurrecoechea v. State
Cal., March 1, 1875, Copp's L. L. 325.

Secretary Interior, Wilson v. C. P. R. R. *et*
al., Oct. 20, 1871, Copp's L. L. 443.

Secretary Interior, White v. University of
Cal., Jan. 10, 1878, 4 Copp's L. O. 188.

Com'r G. L. O., May 14, 1832, 2 L. I. & O. 462.

Com'r G. L. O., Dec. 17, 1833, 2 L. I. & O. 488.

Com'r G. L. O., Feb. 14, 1837, 2 L. I. & O.
533.

Com'r G. L. O., University of Cal., Sept.
25, 1878.

VALENTINE SCRIP—

Secretary Interior, Chicago Cases, Feb. 28,
1879, 6 Copp's L. O. 22.

Secretary Interior, City of Seattle v. Mc-
Aleer *et al.*, March 19, 1879, 6 Copp's L. O.
136.

Com'r G. L. O., circular, June 17, 1874,
Copp's L. L. 806.

Com'r G. L. O., instructions, Jan. 6, 1876, 2
Copp's L. O. 183.

Com'r G. L. O., *ex parte* Throckmorton,
Nov. 22, 1876, 3 Copp's L. O. 172.

Com'r G. L. O., City of Seattle v. McAleer
et al., Jan. 12, 1877, 3 Copp's L. O. 179.

Com'r G. L. O., Chicago Cases, Feb. 12, 1878,
4 Copp's L. O. 186.

VALLEJO, CITY OF—

Durfee v. Plaisted, 38 Cal. 80.

VINCENNES DISTRICT, SETTLERS' CLAIMS
IN—

Secretary Interior, instructions, March 21,
1823, 2 L. I. & O. 368.

Com'r G. L. O., instructions, May 15, 1820,
2 L. I. & O. 301.

Com'r G. L. O., instructions, Aug. 2, 1820,
2 L. I. & O. 506.

VINCENNES UNIVERSITY, TRUSTEES OF—

The State v. Trustees, 2 Ind. 293.

VIRGINIA MILITARY LAND WARRANTS—

Origin:

American State Papers, vol. 16, p. 5.

Assignment:

Sims v. Irvine, 3 Dallas, 425.

Kerr v. Watts, 6 Wheat. 550.

Bouldin *et ux.* v. Massie's heirs, 7 Wheat.
122.

French v. Spencer, 21 How. 228.

Ware v. Brush, 15 Pet. C. C. 23.

Smith v. Shane, 1 McLean, C. C. 22.

Ware v. Brush, 1 McLean, C. C. 533.

Wallace v. Seymour, 7 Ohio, 156.

Douglass v. Dangertield, 14 Ohio, 522.

Groynne v. Niswanger, 15 Ohio, 367.

Duke v. Thompson, 16 Ohio, 34.

Holland v. Thatcher, 18 Ohio, 48.

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Groynne v. Niswanger, 20 Ohio, 556.

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382.

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Lands locatable:

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Reynolds v. McArthur, 2 Pet. 417.

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Galloway v. Finley, 12 Pet. 264.

Chinn v. Darnell, 4 McLean, C. C. 440.

Bonner v. United States, 1 N. & H. 125.

Parker v. Dunn, 4 Ohio, 239.

Saunders v. Niswanger, 11 Ohio St. 298.

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1830, 2 L. I. & O. 436.

Com'r G. L. O., circular, August 17, 1853, 1
Lester, 682.

Com'r G. L. O., *ex parte* Kendricka, April
3, 1880, 7 Copp's L. O. 69.

Patents:

Galloway v. Finley, 12 Pet. 264.

Niswanger v. Saunders, 1 Wall. 424.

Nelson v. Moore, 3 McLean, C. C. 319.

Saum v. Latham, 1 Ohio, 309.

Wallace v. Seymour, 7 Ohio, 156.

Porter v. Robb, 7 Ohio, 206.

Groynne v. Niswanger, 15 Ohio, 367.

VIRGINIA MILITARY LAND WARRANTS—
Continued.

Patents:

Stubblefield v. Boggs, 2 Ohio St. 216.
Clark v. Southerland, 16 Ohio St. 408.
1 Op. Att. Gen. 150; 2 *id.* 25.

Warrants, surreys, and entries:

Taylor & Quarles v. Brown, 5 Cranch, 234.
Vowles v. Craig, 8 Cranch, 371.
Kerr v. Watts, 6 Wheat. 550.
Miller *et al.* v. Kerr *et al.*, 7 Wheat. 1.
Taylor's lessee v. Myers, 7 Wheat. 23.
Anderson v. Clark, 1 Pet. 628.
Hunt v. Wickliff, 2 Pet. 201.
Galt v. Galloway, 4 Pet. 332.
Lindsey v. Miller, 5 Pet. 666.
Wallace v. Parker, 6 Pet. 680.
Holmes v. Trout, 7 Pet. 171.
Brush v. Ware, 15 Pet. 93.
McArthur's heirs v. Dun's heirs, 7 How.
262.

Walker v. Smith, 21 How. 579.
Lindsey v. Miller, 1 McLean, C. C. 20.
Brush v. Ware, 1 McLean, C. C. 553.
Galt v. McMillan, 3 McLean, C. C. 20.
Chinn v. Darnell, 4 McLean, C. C. 440.
Saum v. Latham, 1 Ohio, 309.
Dresback v. McArthur, 7 Ohio, 146.
Huston v. McArthur, 7 Ohio, 383.
Wycoff v. Stephenson, 14 Ohio, 13.
Holland v. Thatcher, 18 Ohio, 48.
Lathan v. Offry, 18 Ohio, 104.
Price v. Johnston, 1 Ohio St. 390.
Stubblefield v. Boggs, 2 Ohio St. 216.
Wood v. Ferguson, 7 Ohio St. 288.
McKinney v. McKinney, 8 Ohio St. 423.
Saunders v. Niswanger, 8 Ohio St. 298.
3 Op. Att. Gen., 35, 103; 6 *id.* 243; 7 *id.* 32,
652; 9 *id.* 156, 352, 354.
Com'r G. L. O., July 2, 1830, 2 L. L. & O.
426.
Com'r G. L. O., circular, Nov. 16, 1830, 2 L.
L. & O. 436.
Com'r G. L. O., July 20, 1875, Copp's L. L.
742.

WABASHA W, TOWN OF—

Secretary Interior, June 14, 1859, 1 Lester,
635.

WATER RIGHTS—

Prior appropriation under local customs, &c.:

Atchison v. Peterson, 20 Wall. 507.
Bacey *et al.* v. Gallagher, 20 Wall. 670.
Jennison v. Kirk, 8 Otto, 453.
Broder v. Water Co., 11 Otto, 274.
Union Mill & Mining Co. v. Ferris, 2 Saw.
C. C. 176.
Lobdell v. Simpson, 2 Nev. 274.
Lobdell v. Hall, 3 Nev. 507.
Mining Co. v. Carpenter, 4 Nev. 534.
Robinson v. Imperial S. Mg. Co., 5 Nev. 44.
Covington v. Beeker, 5 Nev. 281.
Vansickle v. Haines, 7 Nev. 249.
Dalton v. Bowker, 8 Nev. 201.
Barnes v. Sabron, 10 Nev. 217.
Parks v. Barkley, 1 Montana, 514.
Woolman v. Garringer, 1 Montana, 535.
Atchison v. Peterson, 1 Montana, 561.
Barkley v. Fileke, 2 Montana, 59.
Fabian v. Collins, 2 Montana, 510.
Schilling v. Rominger, 4 Colo. 100.
Eddy v. Simpson, 3 Cal. 219.
Irwin v. Phillips, 5 Cal. 140.
Bill v. Newman, 5 Cal. 445.
Kelly v. Water Co., 6 Cal. 105.
Tenney v. Miners' Ditch Co., 7 Cal. 335.
Thompson v. Lee, 8 Cal. 275.
Bear River Co. v. N. Y. Mg. Co., 8 Cal. 327.
Hill v. King, 8 Cal. 337.
Weaver v. Conger, 10 Cal. 233.
Wolf v. St. Louis Ind. Water Co., 10 Cal.
413.
Hoffman v. Tuol, 10 Cal. 417.
Kimball v. Gearhart, 12 Cal. 27.
McGarrity v. Byington, 12 Cal. 426.
Ortman v. Dixon, 13 Cal. 33.
Weaver v. Eureka Lake Co., 15 Cal. 271.
Coleman v. Clements, 23 Cal. 245.
Rupley v. Welch, 23 Cal. 452.
Everett v. Hydraulic Co., 23 Cal. 225.

WATER RIGHTS—Continued.

Prior appropriation under local customs, &c.

Phoenix Water Co. v. Fletcher, 23 Cal. 41.
Bradley v. Harkness, 26 Cal. 69.
American Co. v. Bradford, 27 Cal. 360.
Hill v. Smith, 27 Cal. 476.
Henderson v. McNaughton, 31 Cal. 26.
Richardson v. Kier, 34 Cal. 63.
Correa v. Frietas, 42 Cal. 339.
Smith v. O'Hara, 43 Cal. 371.
Broder v. Water Co., 50 Cal. 621.
Com'r G. L. O., Nov. 23, 1869, Copp's Mz.
Dec. 24.
Com'r G. L. O., April 16, 1871, Copp's Mz.
Dec. 42.

Act of July 26, 1866:

Atchison v. Peterson, 20 Wall. 507.
Bacey *et al.* v. Gallagher, 20 Wall. 670.
Jennison v. Kirk, 8 Otto, 453.
Broder v. Water Co., 11 Otto, 274.
Hobart v. Ford, 6 Nev. 77.
Barnes v. Sabron, 10 Nev. 217.
Shoemaker v. Hatch, 13 Nev. 261.
Rivers v. Burbank, 13 Nev. 393.
Noteware v. Sterna, 1 Montana, 311.
Weimer v. Lowrey, 11 Cal. 104.
Broder v. Water Co., 50 Cal. 621.
Titcomb v. Kirk, 51 Cal. 288.
Cave v. Crafts, 53 Cal. 135.
Com'r G. L. O., Nov. 23, 1869, Copp's Mz.
Dec. 24.

Use, for what purposes:

Union Mill & Mining Co. v. Ferris, 2 Saw.
C. C. 176.
Nelson v. O'Neal, 1 Montana, 284.
Sims v. Smith, 7 Cal. 149.
Maeris v. Bricknell, 7 Cal. 262.
Crandall v. Woods, 8 Cal. 136.
Butte Canal Co. v. Vaughn, 11 Cal. 143.
McDonald v. Bear River Co., 13 Cal. 220.
Clark v. Duvall, 15 Cal. 85.
Edmond v. Chew, 15 Cal. 137.
Kidd v. Laird, 15 Cal. 161.
Weaver v. Eureka Lake Co., 15 Cal. 271.
Butte T. M. Co. v. Morgan, 19 Cal. 609.
McKinney v. Smith, 21 Cal. 374.
Rupley v. Welch, 23 Cal. 452.
Phoenix Water Co. v. Fletcher, 23 Cal. 431.
Wixon v. Bear River Co., 24 Cal. 367.
Ferre v. Knipe, 28 Cal. 340.
McDonald v. Askew, 29 Cal. 200.
Gibson v. Puchta, 33 Cal. 310.
Stone v. Bumpus, 43 Cal. 218.
Quirk v. Falk, 47 Cal. 453.

Damages:

Tenney v. The Miner's Ditch Co., 7 Cal. 335.
Coker v. Simpson, 7 Cal. 341.
Park v. Kilham, 8 Cal. 78.
Leigh Co. v. Independent Ditch Co., 8 Cal.
323.
Edmond v. Chew, 15 Cal. 137.
McDonald v. Bear River Co., 15 Cal. 145.
Natoma Water & Mining Co. v. McCoy, 23
Cal. 490.
Bear River Co. v. Boles, 24 Cal. 359.
Crary v. Campbell, 24 Cal. 634.
Gibson v. Puchta, 33 Cal. 310.
Clark v. Willett, 35 Cal. 135.
Campbell v. B. R. & W. M. Co., 35 Cal. 679.
Richardson v. Kier, 37 Cal. 257.
Gregor v. Nelson, 41 Cal. 279.
Stone v. Bumpus, 46 Cal. 218.
Ogburn v. Connor, 46 Cal. 347.

Subsequent appropriation, and effect of patents:

Proctor v. Jennings, 6 Nev. 83.
Vansickle v. Haines, 7 Nev. 249.
Columbia Mining Co. v. Halter, 1 Montana
296.
Parks v. Barkley, 1 Montana, 514.
Butte Canal Co. v. Vaughn, 11 Cal. 143.
Burnett v. Whiteside, 15 Cal. 35.
Butte T. M. Co. v. Morgan, 19 Cal. 609.
Phoenix Water Co. v. Fletcher, 23 Cal. 431.
Correa v. Frietas, 42 Cal. 339.

Underground currents:

Hanson v. McCune, 42 Cal. 303.

Transfer of:

Robinson v. Imperial S. Mg. Co., 5 Nev. 44.
Barkley v. Fileke, 2 Montana, 59.

WATER RIGHTS—Continued.*Transfer of :*

Oriman v. Dixon, 13 Cal. 33.
 St. John v. Kidd, 28 Cal. 263.
 McDonald v. Askew, 29 Cal. 200.
 Reynolds v. Hoamer, 51 Cal. 203.

Amount of water, entitled to :

Caruthers v. Pemberton, 1 Montana, 111.
 Bear River Co. v. N. Y. Mg. Co., 8 Cal. 327.
 White v. Todd, 8 Cal. 443.
 Butte Canal Co. v. Vaughn, 11 Cal. 143.
 Nevada Water Co. v. Powell, 34 Cal. 109.

Abandonment :

Atchison v. Peterson, 1 Montana, 561.
 Hoffman v. Stone, 7 Cal. 47.
 Butte Canal Co. v. Vaughn, 11 Cal. 143.
 Wiseman v. McNulty, 25 Cal. 230.
 Union Water Co. v. Crary, 25 Cal. 504.
 St. John v. Kidd, 28 Cal. 263.
 Davis v. Gale, 32 Cal. 26.

Patents, pre-emptions, or homesteads, how sub-
ject to :

Broder v. Water Co., 11 Otto, 274.
 Union Mill & Mg. Co. v. Ferris, 2 Saw. C. C.
 176.

WATER RIGHTS—Continued.*Patents, pre-emptions, or homesteads, how sub-*
ject to :

Union Mill & Mg. Co. v. Dangberg, 2 Saw.
 C. C. 451.
 Vansickle v. Haines, 7 Nev. 249.
 Barnes v. Sabron, 10 Nev. 217.
 Thorp v. Freed, 1 Montana, 652.
 Ogburn v. Connor, 46 Cal. 347.
 Broder v. N. W. & Mg. Co., 50 Cal. 621.
 Com'r G. L. O., April 16, 1871, Copp's Mg.
 Dec. 42.
 Com'r G. L. O., March 21, 1872, Copp's Mg.
 Dec. 82.

WISCONSIN RIVER—

Woodman v. Kilbourn Mf. Co., 1 Bissell,
 C. C. 546.
 9 Op. Att. Gen. 346.
 Secretary Interior, Feb. 13, 1857, 1 Lester.
 507.

YAZOO CLAIMS—

2 Op. Att. Gen. 35.

YOSEMITE VALLEY—

Low v. Hutchins, 15 Wall. 77.
 Low v. Hutchins, 41 Cal. 634.

OHIO.

Young & Sawyer

No. 1.—AN ACT to enable the officers and soldiers of the Virginia line on continental establishment, to obtain titles to certain lands lying northwest of the river Ohio, between the Little Miami and Sciota.

August 10, 1790
Vol. 1, p. 182.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the act of Congress of the seventeenth of July, one thousand seven hundred and eighty-eight, relative to certain locations and surveys made by, or on account of the Virginia troops on continental establishment upon lands between the Little Miami and Sciota rivers, northwest of the Ohio, be, and the same is hereby repealed.

Repeal.

And whereas the agents for such of the troops of the State of Virginia, who served on the continental establishment in the army of the United States, during the late war, have reported to the executive of the said State, that there is not a sufficiency of good land on the southeasterly side of the river Ohio, according to the act of cession from the said State to the United States, and within the limits assigned by the laws of the said State, to satisfy the said troops for the bounty lands due to them, in conformity to the said laws: to the intent therefore that the difference between what has already been located for the said troops, on the southeasterly side of the said river, and the aggregate of what is due to the whole of the said troops, may be located on the northwesterly side of the said river, and between the Sciota and Little Miami rivers, as stipulated by the said State:

SEC. 2. *Be it further enacted,* That the Secretary of the Department of War shall make return to the executive of the State of Virginia of the names of such of the officers, non-commissioned officers and privates of the line of the said State, who served in the army of the United States, on the continental establishment, during the late war, and who, in conformity to the laws of the said State, are entitled to bounty lands; and shall also in such return state the aggregate amount in acres due to the said line by the laws aforesaid.

Secretary of War to make return to the executive of Virginia of those entitled to bounty lands.

SEC. 3. *And be it further enacted,* That it shall and may be lawful for the said agents to locate to and for the use of the said troops, between the rivers Sciota and Little Miami, such a number of acres of good land as shall, together with the number already located between the said two rivers, and the number already located on the southeasterly side of the river Ohio, be equal to the aggregate amount, so to be returned as aforesaid by the Secretary of the Department of War.

Agents to locate certain tracts for the use of the troops;

SEC. 4. *And be it further enacted,* That the said agents, as soon as may be after the locations, surveys and allotments are made and completed, shall enter in regular order, in a book to be by them provided for that purpose, the bounds of each location and survey between the said two rivers, annexing the name of the officer, non-commissioned officer or private originally entitled to each; which entries being certified by the said agents or the majority of them, to be true entries, the book containing the same shall be filed in the office of the Secretary of State.

and to enter in a book the bounds of each location and survey.

SEC. 5. *And be it further enacted,* That it shall lawful for the President of the United States to cause letters-patent to be made out in such words and form as he shall devise and direct, granting to such person so originally entitled to bounty lands, to his use, and to the use of his heirs or assigns, or his or their legal representative or representatives, his, her or their heirs or assigns, the lands designated in the said entries: *Provided always,* That before the seal of the United States shall be affixed to such letters-patent, the Secretary of the Department of War shall have indorsed thereon that the grantee therein named, was originally entitled to such bounty lands, and that he has examined the bounds thereof with the book of entries filed in the office of the Secretary of State, and finds the same truly inserted; and every such letters-patent shall be countersigned by the Secretary of State, and a minute of the date thereof, and of the name of the grantee shall be entered of record in his office, in a book to be specially provided for the purpose.

President to cause letters patent to be made out to those entitled to bounty lands.

Secretary of State to transmit the same to the executive of Virginia. SEC. 6. *And be it further enacted*, That it shall be the duty of the Secretary of State, as soon as may be after the letters-patent shall be so completed and entered of record, to transmit the same to the executive of the state of Virginia, to be by *them* delivered to each grantee; or in case of his death, or that the right of the grantees shall have been legally transferred before such delivery, then to his legal representative or representatives, or to one of them.

Letters patent obtained without fees. SEC. 7. *And be it further enacted*, That no fees shall be charged for such letters patent and record, to the grantees, their heirs or assigns, or to his or their legal representative or representatives. (a)

(a) See Nos. 8, 22, 27, 32, 35, 45, 46, 51, 58, 64, 66, 82, 93, 98, 112, 119, 121, 122, 146, 154, 159, 166, 172, 174, 177, 180, 183, 184, 187, 190.

Aug. 12, 1790. Vol. 1, p. 187. No. 2. *Resolved, &c.*, That all surveys of lands in the western territory, made under the direction of the late geographer, Thomas Hutchins, agreeable to contracts for part of the said lands made with the late Board of Treasury, be returned to, and perfected by, the Secretary of the Treasury, so as to complete the said contracts: and that the said Secretary be, and is hereby, authorized to direct the making and completing any other surveys that remain to be made, so as to comply on the part of the United States with the several contracts aforesaid, in conformity to the terms thereof.

March 3, 1791. Vol. 1, p. 225. No. 3. *Resolved, &c.*, That the President of the United States be, and he hereby is requested, to cause an estimate to be laid before Congress at their next session, of the quantity and situation of the lands not claimed by the Indians, nor granted to, nor claimed by any of the citizens of the United States, within the territory ceded to the United States, by the State of North Carolina, and within the territory of the United States, northwest of the river Ohio.

April 12, 1792. Vol. 6, p. 7. No. 4.—AN ACT for ascertaining the bounds of a tract of land purchased by John Cleves Symmes. *Be it enacted, &c.*, That the President of the United States be, and he hereby is, authorized, at the request of John Cleves Symmes, or his agent or agents, to alter the contract, made between the late Board of Treasury and the said John Cleves Symmes, for the sale of a tract of land of one million of acres, in such manner that the said tract may extend from the mouth of the Great Miami to the mouth of the Little Miami, and be bounded by the river Ohio on the south, by the Great Miami on the west, by the Little Miami on the east, and by a parallel of latitude on the north, extending from the Great Miami to the Little Miami, so as to comprehend the proposed quantity of one million of acres: *Provided*, That the northern limits of the said tract shall not interfere with the boundary line established by the treaty of Fort Harmar, between the United States and the Indian nations; *And provided, also*, That the President reserve to the United States such lands, at and near Fort Washington, as he may think necessary for the accommodation of a garrison at that fort. (a)

(a) See Nos. 6, 16, 25, 30, 31, 32, 36, 133, 170, 181.

April 21, 1792. Vol. 6, p. 8. No. 5.—AN ACT authorizing the grant and conveyance of certain lands to the Ohio Company of Associates.

Certain tract of land contracted for in 1787. *Be it enacted, &c.*, That a certain contract expressed in an indenture executed on the twenty-seventh day of October, in the year one thousand seven hundred and eighty-seven, between the then Board of Treasury for the United States of America, of the one part, and Manasseh Cutler, and Winthrop Sergeant, as agents for the directors of the Ohio Company of Associates, of the other part, so far as the same respects the following described tract of land; that is to say: "Beginning at a station where the western boundary line of the seventh range of townships, laid out by the authority of the United States in Congress assembled, intersects the river Ohio; thence extending along that river southwesterly to a place where the western boundary line of the fifteenth range of townships, when laid out agreeably to the land ordinance passed the twentieth day of May, one thousand seven hundred

and eighty-five, would touch the said river; thence running northerly on the said western bounds of the said fifteenth range of townships, till a line drawn due east to the western boundary line of the said seventh range of townships, will comprehend, with the other lines of this tract, seven hundred and fifty thousand acres of land, besides the several lots and parcels of land in the said contract reserved or appropriated to particular purposes; thence running east to the western boundary line of the said seventh range of townships, and thence along the said line to the place of beginning," be and the same is hereby confirmed: And that the President of the United States be, and he hereby is, authorized and empowered to issue letters-patent in the name and under the seal of the United States, thereby granting and conveying to Rufus Putnam, Manasseh Cutler, Robert Oliver, and Griffin Green, and to their heirs and assigns, in fee-simple, the said described tract of land, with the reservations in the said indenture expressed, in trust for the persons composing the said Ohio Company of Associates, according to their several rights and interests, and for their heirs and assigns, as tenants in common.

Confirmed, and President U. S. to grant letters-patent in the name of Rufus Putnam, &c.

SEC. 2. *And be it further enacted*, That the President be, and he hereby is, further authorized and empowered, by letters-patent as aforesaid, to grant and convey to the said Rufus Putnam, Manasseh Cutler, Robert Oliver, and Griffin Green, and to their heirs and assigns, in trust, for the uses above expressed, one other tract of two hundred and fourteen thousand two hundred and eighty-five acres of land: *Provided*, That the said Rufus Putnam, Manasseh Cutler, Robert Oliver, and Griffin Green, or either of them, shall deliver to the Secretary of the Treasury, within six months, warrants which issued for army bounty-rights sufficient for that purpose, according to the provision of a resolve of Congress of the twenty-third day of July, one thousand seven hundred and eighty-seven.

To grant one other tract to Rufus Putnam, &c.

On what conditions.

SEC. 3. *And be it further enacted*, That the President be, and he hereby is, further authorized and empowered, by letters-patent as aforesaid, to grant and convey to the said Rufus Putnam, Manasseh Cutler, Robert Oliver, and Griffin Green, and to their heirs and assigns, in fee-simple, in trust for the uses above expressed, a farther quantity of one hundred thousand acres of land: *Provided always, nevertheless*, That the said grant of one hundred thousand acres shall be made on the express condition of becoming void, for such part thereof as the said company shall not have, within five years from the passing of this act, conveyed in fee-simple, as a bounty and free of expense, in tracts of one hundred acres, to each male person, not less than eighteen years of age, being an actual settler at the time of such conveyance.

To grant one other tract to Rufus Putnam, &c.

On an express condition.

SEC. 4. *And be it further enacted*, That the said quantities of two hundred and fourteen thousand, two hundred and eighty-five acres, and of one hundred thousand acres, shall be located within the limits of the tract of one million, five hundred thousand acres of land, described in the indenture aforesaid, and adjoining to the tract of land described in the first section of this act, and in such form as the President in the letters-patent shall prescribe for that purpose. (a)

Where to be located.

(a) See Nos. 81, 133.

NO. 6.—AN ACT authorizing the grant and conveyance of certain lands to John Cleves Symmes, and his associates.

May 5, 1792.
Vol. 1, p. 266.

SECTION 1. *Be it enacted, &c.*, That the President of the United States be and he hereby is authorized and empowered to issue letters-patent in the name and under the seal of the United States, thereby granting and conveying to John Cleves Symmes and his associates, and to their heirs and assigns, in fee-simple, such number of acres of land as the payments already made by the said John Cleves Symmes, his agents or associates, under their contract of the fifteenth day of October, one thousand seven hundred and eighty-eight, will pay for, estimating the lands at two-thirds of a dollar per acre, and making the reservations specified in the said contract.

President authorized to grant a certain number of acres to J. C. Symmes, on certain conditions.

SEC. 2. *And be it further enacted*, That the President be and he hereby is further authorized and empowered, by letters-patent as aforesaid, to grant and convey to the said John Cleves Symmes and his associates, and to their heirs and assigns in fee-simple, one other tract of one hun-

To grant one other tract.

dred and six thousand eight hundred and fifty-seven acres, with the reservations as aforesaid: *Provided*, That the said John Cleves Symmes, or his agents or associates, or any of them, shall deliver to the Secretary of the Treasury, within six months, warrants which issued for army bounty-rights sufficient for that purpose, according to the provision of the resolves of Congress of the twenty-third of July, and second of October, one thousand seven hundred and eighty-seven; but in case so many warrants should not be delivered, then the letters-patent last aforesaid to be given for such number of acres, as shall be in proportion to the warrants so delivered. (a)

One township granted for seminaries of learning.

SEC. 3. *And be it further enacted*, That the President be and he is hereby authorized and empowered, by letters-patent as aforesaid, to grant and convey unto the said John Cleves Symmes and his associates, their heirs and assigns, in trust for the purpose of establishing an academy and other public schools and seminaries of learning, one complete township, conformably to an order of Congress of the second of October, one thousand seven hundred and eighty-seven, made in consequence of the application of the said John Cleves Symmes, for the purchase of the tract aforesaid. (b)

The lands to be located agreeable to a former act.

SEC. 4. *And be it further enacted*, That the several quantities of land, to be granted and conveyed as aforesaid, shall be included and located within such limits and lines of boundary, as the President may judge expedient, agreeably to an act passed the twelfth day of April, one thousand seven hundred and ninety-two, "for ascertaining the bounds of a tract of land purchased by John Cleves Symmes."

(a) See Nos. 4, 16, 25, 30, 31, 32, 36, 133, 170, 181.

(b) See No. 31.

April 18, 1794.
Vol. 6, p. 14.

No. 7.—AN ACT to authorize Ephraim Kimberly to locate the land warrant issued to him for services in the late American Army.

Ephraim Kimberly permitted to locate certain land warrant.

Under what restrictions.

Be it enacted, &c., That permission be, and the same is hereby granted to Ephraim Kimberly, now resident on the west bank of the Ohio, near Indian Short-creek, within the territory northwest of the Ohio, to locate the land warrant issued to the said Kimberly, for three hundred acres of land, for his services in the late American Army, so as to include the land where he now resides, or as convenient as may be thereto: *Provided*, he doth not interfere with any existing claim, location or survey: And upon the said Kimberly's procuring the said land to be surveyed, in such way and manner as shall be pointed out and directed by the President of the United States, and returning his said warrant into the Treasury of the United States, the President of the United States shall be, and he hereby is authorized and empowered to issue letters-patent in the name, and under the seal of the United States, thereby granting and conveying to the said Ephraim Kimberly, the three hundred acres of land that shall be so located and surveyed.

June 9, 1794.
Vol. 1, p. 394.

No. 8.—AN ACT to amend the act intituled "An act to enable the officers and soldiers of the Virginia line on continental establishment, to obtain titles to certain lands lying northwest of the river Ohio, between the Little Miami and Sciota.

Officers and soldiers of Virginia line, how to obtain certain lands.

To produce survey to Secretary of War.

And receive patent from President of United States.

Be it enacted, &c., That all and every officer and soldier of the Virginia line on continental establishment, his or their heirs or assigns, entitled to bounty lands on the northwest side of the river Ohio, between the Sciota and Little Miami rivers, by the laws of the State of Virginia, and included in the terms of cession of the said State to the United States, shall, on producing the warrant, or a certified copy thereof, and a certificate under the seal of the office where the said warrants are legally kept, that the same or a part thereof remains unsatisfied, and on producing the survey, agreeably to the laws of Virginia, for the tract or tracts to which he or they may be entitled, as aforesaid, to the Secretary of the Department of War, such officer and soldier, his or their heirs or assigns, shall be entitled to, and receive a patent for the same from the President of the United States, anything in any former law to the contrary notwithstanding. *Provided*, That no letters-patent shall be issued for a greater quantity of land than shall appear to remain due on such warrant, and that before the seal of the United States shall be

affixed to such letters-patent the Secretary of the Department of War shall have endorsed thereon that the grantee therein named or the person under whom he claims was originally entitled to such bounty lands, and every such letters-patent shall be countersigned by the Secretary of State and a minute of the date thereof, and the name of the grantee shall be entered of record in his office in a book to be specially provided for that purpose. (a)

To be endorsed by Secretary of War.
And countersigned by Secretary of State, &c.

(a) See Nos. 1, 22, 27, 32, 35, 45, 46, 51, 58, 64, 66, 82, 93, 98, 112, 119, 121, 128, 146, 154, 159, 166, 172, 174, 177, 180, 183, 184, 187, 190.

No. 9.—AN ACT to authorize a grant of lands to the French inhabitants of Gallipolis, and for other purposes therein mentioned.

March 3, 1795.
Vol. 1, p. 442.

SECTION 1. *Be it enacted, &c.,* That the President of the United States shall be and he is hereby authorized and empowered to cause to be surveyed, in the territory northwest of the Ohio, a tract of land situate on the northerly bank of the river Ohio, beginning one mile and a half on a straight line above the mouth of Little Sandy, thence down the said river Ohio along the courses thereof eight miles when reduced to a straight line thence at right angles from each extremity of the said line so as to include the quantity of twenty-four thousand acres of land to be disposed as herein after directed.

President to cause a certain tract of land to be surveyed.

SEC. 2. *And be it further enacted,* That the President be authorized to cause to be ascertained the number of French inhabitants and actual settlers of the town or settlement of Gallipolis, being males above eighteen years of age or widows who are or shall be within the said town or settlement of Gallipolis on the first day of November next.

To cause the French inhabitants of Gallipolis to be enumerated.

SEC. 3. *And be it further enacted,* That the President of the United States shall be and he is hereby authorized and empowered to issue letters-patent in the name and under the seal of the United States, thereby granting to John Gabriel Gervais, and his heirs, four thousand acres of land, part of the said twenty-four thousand acres to be located on the northwest bank of the river Ohio opposite to the mouth of the Little Sandy, with condition in the said letters-patent that if the said John Gabriel Gervais or his heirs shall not personally within three years from the date of the same patent settle on the same tract of land, and there continue settled for three years next thereafter, the same letters-patent shall be void and determine, and the title thereof revert in the United States as if this law had not passed.

Letters-patent to be issued to John G. Gervais for a tract of said land on condition.

SEC. 4. *And be it further enacted,* That the President of the United States shall be and he is hereby authorized and empowered to cause to be surveyed, laid off and divided, the remaining twenty thousand acres of land, residue of the twenty-four thousand acres, into as many lots or parts as the actual settlers of Gallipolis shall on the ascertainment aforesaid amount to, and the same to be designated, marked and numbered on a plat thereof to be returned to the secretary of the said territory, together with a certificate of the courses of the said lots, the said lots or parts of the aforesaid tract, to be assigned to the settlers aforesaid by lot. And the President of the United States is hereby authorized and empowered to issue letters-patent as aforesaid to the said actual settlers and their heirs for the said twenty thousand acres, to be held by them in severalty in lots to be designated and described by their numbers on the plat aforesaid, with condition in the same letters-patent that if one or more of the said grantees his or her heirs or assigns shall not within five years from the date of the same letters make or cause and procure to be made an actual settlement on the lot or lots assigned to him, her or them, and the same continue for five years thereafter, that then the said letters-patent so far as concerns the said lot or lots not settled and continued to be settled as aforesaid shall cease and determine and the title thereof shall revert in the United States in the same manner as if this law had not passed.

Remainder to be distributed among the actual settlers of Gallipolis.

Patents to issue.

On condition.

SEC. 5. *And be it further enacted,* That nothing in this act shall be taken or considered in any manner to impair or affect the claims of the said settlers against any person or persons for or by reason of any contracts heretofore made by them, but that the same contracts shall be and remain in the same state as if this law had not passed. (a)

Settlers' claims against contractors not to be impaired.

(a) See Nos. 13, 40.

May 17, 1796.
Vol. 6, p. 27.

Grant of land
to Ebenezer
Zane.

Proviso.

Ebenezer Zane
to procure the
tracts to be sur-
veyed at his own
expense, &c.

Proviso.

No. 10.—AN ACT to authorize Ebenezer Zane to locate certain lands in the territory of the United States northwest of the river Ohio.

Be it enacted, &c., That, upon the conditions hereinafter mentioned, there shall be granted to Ebenezer Zane three tracts of land, not exceeding one mile square each, one on the Muskingum River, one on Hockhocking River, and one other on the north bank of Sciota River, and in such situations as shall best promote the utility of a road to be opened by him on the most eligible route between Wheeling and Limestone, to be approved by the President of the United States, or such person as he shall appoint for that purpose; *Provided*, Such tracts shall not interfere with any existing claim, location, or survey; nor include any salt spring, nor the lands on either side of the river Hockhocking at the falls thereof.

SEC. 2. *And be it further enacted*, That upon the said Zane's procuring, at his own expense, the said tracts to be surveyed, in such way and manner as the President of the United States shall approve, and returning into the Treasury of the United States plats thereof, together with warrants granted by the United States for military land-bounties, to the amount of the number of acres contained in the said three tracts; and also, producing satisfactory proof, by the first day of January next, that the aforesaid road is opened, and ferries established upon the rivers aforesaid, for the accommodation of travellers, and giving security that such ferries shall be maintained during the pleasure of Congress; the President of the United States shall be, and he hereby is, authorized and empowered to issue letters-patent, in the name and under the seal of the United States, thereby granting and conveying to the said Zane, and his heirs, the said tracts of land located and surveyed as aforesaid; which patents shall be countersigned by the Secretary of State, and recorded in his office: *Provided always*, That the rates of ferriage, at such ferries, shall, from time to time, be ascertained by any two of the judges of the territory northwest of the river Ohio, or such other authority as shall be appointed for that purpose. (a)

(a) See No. 18.

May 18, 1796.
Vol. 1, p. 464.

A surveyor-
general to be ap-
pointed; his pow-
er and duties.

The lands how
to be surveyed,
laid out, &c.

No. 11.—AN ACT providing for the sale of the lands of the United States, in the territory northwest of the river Ohio, and above the mouth of Kentucky River.

SECTION 1. *Be it enacted, &c.*—That a surveyor-general shall be appointed, whose duty it shall be to engage a sufficient number of skilful surveyors, as his deputies; whom he shall cause, without delay, to survey and mark the unascertained outlines of the lands lying northwest of the river Ohio, and above the mouth of the river Kentucky, in which the titles of the Indian tribes have been extinguished, and to divide the same in the manner hereinafter directed; he shall have authority to frame regulations and instructions for the government of his deputies; to administer the necessary oaths, upon their appointments; and to remove them for negligence or misconduct in office.

SEC. 2. *Be it further enacted*, That the part of the said lands, which has not been already conveyed by letters-patent, or divided, in pursuance of an ordinance in Congress, passed on the twentieth of May, one thousand seven hundred and eighty-five, or which has not been heretofore, and during the present session of Congress may not be appropriated for satisfying military land-bounties, and for other purposes, shall be divided by north and south lines run according to the true meridian, and by others crossing them at right angles, so as to form townships of six miles square, unless where the line of the late Indian purchase, or of tracts of land heretofore surveyed or patented, or the course of navigable rivers may render it impracticable; and then this rule shall be departed from no further than such particular circumstances may require. The corners of the townships shall be marked with progressive numbers from the beginning; each distance of a mile between the said corners shall be also distinctly marked with marks different from those of the corners. One-half of the said townships, taking them alternately, shall be subdivided into sections, containing, as nearly as may be, six hundred and forty acres each, by running through the same, each way, parallel lines, at the end of every two miles; and by marking a corner, on each of the said lines, at the end of every mile; the sections shall be numbered respectively, beginning with the number one, in the north-east section, and proceeding west and east alternately, through the town-

ship with progressive numbers, till the thirty-sixth be completed. And it shall be the duty of the deputy surveyors, respectively, to cause to be marked, on a tree near each corner made, as aforesaid, and within the section, the number of such section, and over it, the number of the township, within which such section may be; and the said deputies shall carefully note, in their respective field-books, the names of the corner trees marked, and the numbers so made: The fractional parts of townships shall be divided into sections, in manner aforesaid, and the fractions of sections shall be annexed to, and sold with, the adjacent entire sections. All lines shall be plainly marked upon trees, and measured with chains, containing two perches of sixteen feet and one-half each, subdivided into twenty-five equal links, and the chain shall be adjusted to a standard to be kept for that purpose. Every surveyor shall note in his field-book the true situations of all mines, salt licks, salt springs and mill-seats, which shall come to his knowledge; all water-courses, over which the line he runs shall pass; and also the quality of the lands. These field-books shall be returned to the surveyor-general who shall therefrom cause a description of the whole lands surveyed, to be made out and transmitted to the officers who may superintend the sales: He shall also cause a fair plat to be made of the townships, and fractional parts of townships, contained in the said lands, describing the subdivisions thereof, and the marks of the corners. This plat shall be recorded in books to be kept for that purpose; a copy thereof shall be kept open at the surveyor-general's office, for public information; and other copies sent to the places of the sale, and to the Secretary of the Treasury. (a)

Plat of townships and fractional parts to be made.

SEC. 3. *Be it further enacted*, That a salt spring lying upon a creek which empties into the Sciota River, on the east side, together with as many contiguous sections as shall be equal to one township, and every other salt spring which may be discovered, together with the section of one mile square which includes it, and also four sections at the centre of every township, containing each one mile square, shall be reserved, for the future disposal of the United States; but there shall be no reservations, except for salt springs, in fractional townships, where the fraction is less than three-fourths of a township. (b)

Reservations for the future disposal of the United States.

SEC. 4. *Be it further enacted*, That whenever seven ranges of townships shall have been surveyed below the Great Miami, or between the Sciota River and the Ohio Company's purchase, or between the southern boundary of the Connecticut claims and the ranges already laid off, beginning upon the Ohio River and extending westwardly, and the plats thereof made and transmitted, in conformity to the provisions of this act, the said sections of six hundred and forty acres (excluding those hereby reserved) shall be offered for sale, at public vendue, under the direction of the governor or secretary of the western territory, and the surveyor-general: such of them as lie below the Great Miami shall be sold at Cincinnati; those of them which lie between the Sciota and the Ohio Company's purchase, at Pittsburg; and those between the Connecticut claim and the seven ranges, at Pittsburg. And the townships remaining undivided shall be offered for sale, in the same manner, at the seat of government of the United States, under the direction of the Secretary of the Treasury, in tracts of one quarter of a township lying at the corners thereof, excluding the four central sections, and the other reservations before mentioned: *Provided always*, That no part of the lands directed by this act to be offered for sale, shall be sold for less than two dollars per acre.

Sections of 640 acres (except reservations) to be sold at vendue, by the governor or secretary of the western territory, and the surveyor-general.

SEC. 5. *Be it further enacted*, That the Secretary of the Treasury, after receiving the aforesaid plats, shall forthwith give notice, in one newspaper in each of the United States, and of the territories northwest and south of the river Ohio, of the times of sale; which shall, in no case, be less than two months from the date of the notice; and the sales at the different places shall not commence, within less than one month of each other: And when the governor of the western territory, or Secretary of the Treasury, shall find it necessary to adjourn, or suspend the sales under their direction, respectively, for more than three days, at any one time, notice shall be given in the public newspapers, of such suspension, and at what time the sales will re-commence.

Undivided townships to be sold in like manner by the Secretary of the Treasury.

No part of the lands to be sold for less than two dollars per acre.

Secretary of Treasury to give notice of the times of sale, &c.

SEC. 6. *Be it further enacted*, That immediately after the passing of this act, the Secretary of the Treasury shall, in the manner hereinbefore directed, advertise for sale, the lands remaining unsold in the seven ranges of townships, which were surveyed, in pursuance of an ordinance

Certain other lands to be sold.

of Congress, passed the twentieth of May, one thousand seven hundred and eighty-five, including the lands drawn for the Army, by the late Secretary of War, and also those heretofore sold, but not paid for; the townships which by the said ordinance, are directed to be sold entire, shall be offered for sale, at public vendue in Philadelphia, under the direction of the Secretary of the Treasury, in quarter townships, reserving the four centre sections, according to the directions of this act. The townships, which, by the said ordinance, are directed to be sold in sections, shall be offered for sale at public vendue, in Pittsburg, under the direction of the governor or secretary of the western territory, and such person as the President may specially appoint for that purpose, by sections of one mile square each, reserving the four centre sections, as aforesaid; and all fractional townships shall also be sold in sections, at Pittsburg, in the manner, and under the regulations provided by this act, for the sale of fractional townships: *Provided always*, That nothing in this act shall authorize the sale of those lots, which have been heretofore reserved in the townships already sold.

Mode of payment and of obtaining a patent, &c.

SEC. 7. *Be it further enacted*, That the highest bidder for any tract of land, sold by virtue of this act, shall deposit, at the time of sale, one-twentieth part of the amount of the purchase money; to be forfeited, if a moiety of the sum bid, including the said twentieth part, is not paid within thirty days, to the Treasurer of the United States, or to such person as shall be appointed by the President of the United States, to attend the places of sale for that purpose; and upon payment of a moiety of the purchase money, within thirty days, the purchaser shall have one year's credit for the residue; and shall receive from the Secretary of the Treasury, or the governor of the western territory, (as the case may be) a certificate describing the land sold, the sum paid on account, the balance remaining due, the time when such balance becomes payable; and that the whole land sold will be forfeited, if the said balance is not then paid; but that if it shall be duly discharged, the purchaser, or his assignee, or other legal representative, shall be entitled to a patent for the said lands: And on payment of the said balance to the Treasurer, within the specified time, and producing to the Secretary of State a receipt for the same, upon the aforesaid certificate, the President of the United States is hereby authorized to grant a patent for the lands to the said purchaser, his heirs or assigns: And all patents shall be countersigned by the Secretary of State, and recorded in his office. But if there should be a failure in any payment, the sale shall be void, all the money theretofore paid on account of the purchase shall be forfeited to the United States, and the lands thus sold shall be again disposed of, in the same manner as if a sale had never been made: *Provided nevertheless*, That should any purchaser make payment of the whole purchase money at the time when the payment of the first moiety is directed to be made, he shall be entitled to a deduction of ten per centum on the part, for which a credit is hereby directed to be given; and his patent shall be immediately issued.

Entries to be made of the date of sales, &c.

SEC. 8. *Be it further enacted*, That the Secretary of the Treasury, and the governor of the territory northwest of the river Ohio, shall respectively, cause books to be kept, in which shall be regularly entered, an account of the dates of all the sales made, the situation and numbers of the lots sold, the price at which each was struck off, the money deposited at the time of sale, and the dates of the certificates granted to the different purchasers. The governor, or secretary of the said territory shall, at every suspension or adjournment, for more than three days, of the sales under their direction, transmit to the Secretary of the Treasury, a copy of the said books, certified to have been duly examined and compared with the original. And all tracts sold under this act, shall be noted upon the general plat, after the certificate has been granted to the purchaser. (c)

Governor or secretary to transmit copies at certain times.

Tracts sold to be noted on the general plat.

Navigable rivers to be public highways.

Streams not navigable, to be common property.

Compensation of surv.-general.

SEC. 9. *And be it further enacted*, That all navigable rivers, within the territory to be disposed of by virtue of this act, shall be deemed to be, and remain public highways: And that in all cases, where the opposite banks of any stream, not navigable, shall belong to different persons, the stream and the bed thereof shall become common to both. (d)

SEC. 10. *And be it further enacted*, That the surveyor-general shall receive for his compensation, two thousand dollars per annum; and that

the President of the United States may fix the compensation of the assistant surveyors, chain-carriers and axe-men: *Provided*, That the whole expense of surveying and marking the lines, shall not exceed three dollars per mile, for every mile that shall be actually run or surveyed.

President to fix compensation of assistant surveyors.

Expense not to exceed \$3 for every mile surveyed.

Regulation of fees to be paid.

SEC. 11. *And be it further enacted*, That the following fees shall be paid for the services to be done under this act, to the Treasurer of the United States, or to the receiver in the western territory, as the case may be; for each certificate for a tract containing a quarter of a township, twenty dollars; for a certificate for a tract containing six hundred and forty acres, six dollars; and for each patent for a quarter of a township, twenty dollars; for a section of six hundred and forty acres, six dollars: And the said fees shall be accounted for by the receivers, respectively.

SEC. 12. *And be it further enacted*, That the surveyor-general, assistant surveyors, and chain-carriers, shall, before they enter on the several duties to be performed under this act, severally take an oath or affirmation, faithfully to perform the same; and the person, to be appointed to receive the money on sales in the western territory, before he shall receive any money under this act, shall give bond with sufficient security, for the faithful discharge of his trust: That, for receiving, safe-keeping, and conveying to the Treasury the money he may receive, he shall be entitled to a compensation to be hereafter fixed.

Oath to be taken by the surveyor-general, &c.

The person to be appointed to receive the money in the western territory to give bond, &c.

(a) See Nos. 12, 13, 21, 23, 25, 32, 36, 37, 42, 65, 76, 79, 81, 102, 119, 158.

(b) See Nos. 28, 73, 76, 79, 105.

(c) See Nos. 16, 21, 25, 29, 30, 32, 36, 39, 41, 43, 44, 47, 48, 52, 56, 59, 65, 76, 79, 80, 81, 83, 84, 85, 87, 88, 90, 99, 102, 106, 111, 113, 126, 130, 132, 133, 145, 155, 158, 175, 185.

(d) See No. 12.

No. 12.—AN ACT regulating the grants of land appropriated for military services, and for the Society of United Brethren, for propagating the Gospel among the Heathen.

June 1, 1796.
Vol. 1, p. 490.

SECTION 1. *Be it enacted, &c.*, That the surveyor-general be, and he is hereby required, to cause to be surveyed, the tract of land beginning at the northwest corner of the seven ranges of townships, and running thence fifty miles due south, along the western boundary of the said ranges; thence due west to the main branch of the Scioto River; thence up the main branch of the said river, to the place where the Indian boundary line crosses the same; thence along the said boundary line, to the Tuscaroras branch of the Muskingum River, at the crossing-place above Fort Lawrence; thence up the said river, to the point, where a line, run due west from the place of beginning, will intersect the said river; thence along the line so run to the place of beginning; and shall cause the said tracts to be divided into townships of five miles square, by running, marking and numbering the exterior lines of the said townships, and marking corners in the said lines, at the distance of two and one-half miles from each other, in the manner directed by the act, intituled "An act providing for the sales of the lands of the United States, in the territory northwest of the river Ohio, and above the mouth of Kentucky River;" and that the lands above described, except the salt springs therein, and the same quantities of land adjacent thereto, as are directed to be reserved with the salt springs, in the said recited act, and such tracts within the boundaries of the same, as have been heretofore appropriated by Congress, be, and they are hereby, set apart and reserved for the purposes hereinafter mentioned. (a)

Surveyor-general to cause certain lands to be surveyed.

SEC. 2. *And be it further enacted*, That the said land shall be granted only in tracts containing a quarter of the township to which they belong, lying at the corners thereof; and that the Secretary of the Treasury shall, for the space of nine months, after public notice in the several States and Territories, register warrants for military services, to the amount of any one or more tracts, for any person or persons holding the same; and shall immediately after the expiration of the said time, proceed to determine, by lot, to be drawn in the presence of the Secretaries of State and of War, the priority of location of the said registered warrants; and the person or persons holding the same, shall severally make their locations, after the lots shall be proclaimed, on a day to be previously fixed in the before-mentioned notice; in failure of

Duty of the Secretary of the Treasury herein.

Priority of location how determined.

which, they shall be postponed in locating such warrants, to all other persons holding registered warrants: And the patents for all lands located under the authority of this act, shall be granted in the manner directed by the before-mentioned act, without requiring any fee therefor.

Privilege to certain persons holding warrants. SEC. 3. *And be it further enacted*, That after the time limited for making the locations, as aforesaid, any person or persons holding warrants, of the before-mentioned description, sufficient to cover any one or more tracts, as aforesaid, shall be at liberty to make their locations, on any tract or tracts not before located.

Lands unlocated after the 1st January, to be at disposition of United States. SEC. 4. *And be it further enacted*, That all the lands set apart by the first section of this act, which shall remain unlocated on the first day of January, in the year one thousand eight hundred, shall be released from the said reservation, and shall be at the free disposition of the United States, in like manner as any other vacant territory of the United States. And all warrants or claims for lands on account of military services, which shall not, before the day aforesaid, be registered and located, shall be forever barred. (b)

Three tracts to be surveyed for Society for propagating the Gospel among the heathen. SEC. 5. *And be it further enacted*, That the said surveyor-general be, and he is hereby, required to cause to be surveyed three several tracts of land, containing four thousand acres each, at Shoenbrun, Gnadenhutten, and Salem; being the tracts formerly set apart, by an ordinance of Congress of the third of September, one thousand seven hundred and eighty-eight, for the Society of United Brethren for propagating the Gospel among the Heathen; and to issue a patent or patents for the said three tracts to the said society, in trust, for the uses and purposes in the said ordinance set forth. (c)

Reservations. SEC. 6. *And be it further enacted*, That all navigable streams or rivers within the territory to be disposed of, by virtue of this act, shall be deemed to be and remain public highways. And that, in all cases, where the opposite banks of any stream not navigable shall belong to different persons, the stream and the bed thereof shall be common to both. (d)

(a) See Nos. 11, 18, 32, 38, 42, 71, 130.

(b) See Nos. 15, 17, 18, 27, 32, 34, 38, 42, 49, 50, 60, 71, 128, 130, 131, 135, 139.

(c) See Nos. 18, 102, 111, 113, 176.

(d) See No. 11.

April 7, 1798.
Vol. 1, p. 547.

No. 12a.—AN ACT for the relief of the refugees from the British provinces of Canada and Nova Scotia.

Notice to be given by the Secretary of the Treasury to claimants. SECTION 1. *Be it enacted, &c*, That to satisfy the claims of certain persons claiming lands under the resolutions of Congress, of the twenty-third of April, one thousand seven hundred and eighty-three, and the thirteenth of April, one thousand seven hundred and eighty-five, as refugees from the British provinces of Canada and Nova Scotia, the Secretary for the Department of War be, and is hereby authorized and directed to give notice in one or more of the public papers, of each of the States of Vermont, Massachusetts, New York, New Hampshire, and Pennsylvania, to all persons having claims under the said resolutions, to transmit to the War Office, within two years after the passing of this act, a just and true account of their claims to the bounty of Congress.

What description of persons shall be entitled to the benefit of this act. SEC. 2. *And be it further enacted*, That no other persons shall be entitled to the benefit of the provisions of this act, than those of the following descriptions, or their widows and heirs, viz: First, those heads of families, and single persons, not members of any such families, who were residents in one of the provinces aforesaid, prior to the fourth day of July, one thousand seven hundred and seventy-six, and who abandoned their settlements, in consequence of having given aid to the United Colonies or States, in the revolutionary war against Great Britain, or with intention to give such aid, and continued in the United States, or in their service, during the said war, and did not return to reside in the dominions of the king of Great Britain, prior to the twenty-fifth of November, one thousand seven hundred and eighty-three. Secondly, the widows and heirs of all such persons as were actual residents, as aforesaid, who abandoned their settlements as aforesaid, and died within the United States, or in their service, during the said war: And thirdly,

all persons who were members of families at the time of their coming into the United States, and who, during the war, entered into their service.

SEC. 3. *And be it further enacted*, That the proof of the several circumstances necessary to entitle the applicants to the benefits of this act, may be taken before a judge of the Supreme or district court of the United States, or a judge of the supreme or superior court, or the first justice or first judge of the court of common pleas or county court of any State. Before whom proof of facts may be taken.

SEC. 4. *And be it further enacted*, That at the expiration of fifteen months from and after the passing of this act, and from time to time thereafter, it shall be the duty of the Secretary for the Department of War to lay such evidence of claims as he may have received, before the Secretary and Comptroller of the Treasury, and with them, proceed to examine the testimony, and give their judgment what quantity of land ought to be allowed to the individual claimants, in proportion to the degree of their respective services, sacrifices and sufferings, in consequence of their attachment to the cause of the United States; allowing to those of the first class, a quantity not exceeding one thousand acres; and to the last class, a quantity not exceeding one hundred, making such intermediate classes as the resolutions aforesaid, and distributive justice, may, in their judgment, require; and make report thereof to Congress. And in case any such claimant shall have sustained such losses and sufferings, or performed such services for the United States, that he cannot justly be classed in any one general class, a separate report shall be made of his circumstances, together with the quantity of land that ought to be allowed him, having reference to the foregoing ratio: *Provided*, That in considering what compensation ought to be made by virtue of this act, all grants, except military grants, which may have been made by the United States, or individual States, shall be considered at the just value thereof, at the time the same were made, respectively, either in whole or in part, as the case may be, a satisfaction to those who may have received the same: *Provided also*, That no claim under this law shall be assignable until after report made to Congress, as aforesaid, and until the said lands be granted to the persons intitled to the benefit of this act. Secretary of War and Secretary and Comptroller of the Treasury to examine and report upon the claims.

SEC. 5. *Be it further enacted*, That all claims, in virtue of said resolutions of Congress, which shall not be exhibited as aforesaid, within the time by this act limited, shall forever thereafter be barred. (a) In what manner their judgment thereon is to be regulated.

(a) See Nos. 23, 33, 33a, 50a, 55, 80.

No. 13.—AN ACT to authorize a grant of lands to Stephen Monot, and others, inhabitants of Galliopolis, therein named.

June 25, 1798.
Vol. 6, p. 35.

Be it enacted, &c., That it shall be the duty of the surveyor-general of the Northwestern Territory, to survey one thousand two hundred acres of land, beginning on the bank of the Ohio River, at the lower corner of a tract surveyed pursuant to an act of Congress, entitled "An act to authorize a grant of lands to the French inhabitants of Galliopolis, and for other purposes therein mentioned," and running thence down said river along the courses thereof, six hundred and forty poles when reduced to a straight line, thence extending back from the river and parallel to the lower line of the said grant so far as to include the quantity aforesaid. And the said surveyor-general shall, by lines plainly marked upon trees, divide the said tract into eight equal parts or lots, having each as nearly as may be, an equal front on the river, and designated by progressive numbers, marked on the corners thereof. And the surveyor-general, when the said lots are laid off and numbered as aforesaid, shall distribute or assign the same by lot, to Stephen Monot, Lewis Anthony Carpentier, Lewis Vimont, Francis Valton, Lewis Philip, A. Fichon, Anthony Maquet, Margaret G. C. Champaigne, wife of Peter A. Laforge, and Maria I. Dalliez, wife of Peter Luc, and to their heirs, being inhabitants of Galliopolis, who were prevented from obtaining their proportion of the land granted by the act aforesaid. The said surveyor-general shall also make out a fair plat of the said tract, and shall designate thereon the said lots marked each with the name of the person to whom the same shall have been assigned by lot as aforesaid, which plat with a certificate of the bounds and courses of the said tract and lots he shall record in his office, and return a copy thereof to the Secretary of State, to be filed in his office. Survey to be made of 1200 acres of land.

To be divided into eight parts, &c.

Plats to be made of the tract and lots.

Letters-patent
to be issued
therefor.

SEC. 2. *And be it further enacted*, That the President of the United States be, and he is hereby authorized and empowered to issue letters-patent in the usual form, thereby granting to the persons above named, and to their heirs, the said tract of land to be held by them and their heirs in severalty, in lots designated, numbered and marked as aforesaid.

Saving of private contracts
made with the
grantees.

SEC. 3. *And be it further enacted*, That nothing in this act shall be taken or considered in any manner to affect the claims of the persons herein named against any person or persons, for or by reason of any contracts heretofore made by them, but that the same contracts shall be and remain in the same state as if this act had not passed. (a)

(a) See Nos. 9, 40.

July 16, 1798.
Vol. 6, p. 36.

No. 14.—AN ACT authorizing the grant and conveyance of a certain lot of ground to Elie Williams.

Sec'y Treasury
authorized to sell
a certain lot of
ground.

Be it enacted, &c., That the Secretary of the Treasury be, and he hereby is authorized to contract with Elie Williams, for the sale of a certain lot of ground, twenty perches in length, and sixteen perches in breadth, situate in the town of Cincinnati, in the territory northwest of the Ohio, it being the same lot on which certain buildings were erected by the said Elie Williams and Robert Elliot, deceased, when contractors for supplying the western army with provisions.

Patent to be
granted.

SEC. 2. *And be it further enacted*, That on payment into the Treasury of the United States of such sum or sums of money as shall have been agreed upon between the said Elie Williams and the Secretary of the Treasury, as the price of the above mentioned lot, the President of the United States be, and he is hereby authorized to grant a patent for the same, to the said Elie Williams, his heirs or assigns.

March 2, 1799.
Vol. 1, p. 724.

No. 15.—AN ACT to amend the act intituled "An act regulating the grants of land appropriated for military services, and for the Society of the United Brethren, for propagating the Gospel among the Heathen."

Repeal.

SECTION 1. *Be it enacted, &c.*, That the fourth section of an act, intituled "An act regulating the grants of land appropriated for military services, and for the Society of the United Brethren, for propagating the Gospel among the Heathen," be, and the same is hereby repealed.

Lands unlocated
Jan. 1, 1802,
to be subject to
sale.

SEC. 2. *And be it further enacted*, That all the lands set apart by the first section of the above-mentioned act, which shall remain unlocated on the first day of January, in the year one thousand eight hundred and two, shall be released from the said reservation, and shall be at the free disposition of the United States, in like manner as any other vacant territory of the United States. And that all warrants or claims for lands on account of military services, which shall not, before the day aforesaid, be registered and located, shall be forever barred. (a)

Limitation.

(a) See Nos. 12, 17, 18, 27, 32, 34, 38, 42, 49, 50, 60, 71, 128, 130, 131, 135, 139.

March 2, 1799.
Vol. 1, p. 728.

No. 16.—AN ACT to authorize the sale of certain lands between the Great and Little Miami rivers in the territory of the United States northwest of the Ohio; and for giving a pre-emption to certain purchasers and settlers.

Contractors
with John C.
Symmes to have
a right of pre-emption,
on making certain
payments.

SECTION 1. *Be it enacted, &c.*, That any person or persons, who before the first day of April, in the year one thousand seven hundred and ninety-seven, had made any contract or contracts, in writing, with John Cleves Symmes, for the purchase of lands between the Great and Little Miami rivers, which are not comprehended in his patent, dated the thirtieth day of September, one thousand seven hundred and ninety-four, shall be entitled to a preference, in purchasing of the United States, all the lands so contracted for, at the price of two dollars an acre, to be paid to the Treasurer of the United States, as follows: one-third part of the purchase money, on or before the first day of September next; one other third part in one year from the said first day of September; and the remaining third part in two years from the said first day of September; which two last payments shall be secured in the manner pointed out and directed by the act, intituled "An act for pro-

viding for the sale of the lands of the United States in the territory northwest of the river Ohio, and above the mouth of Kentucky River." And that upon each payment, the same evidences of purchase and title shall be given to the purchasers, respectively, as to purchasers under the said recited act. (a)

SEC. 2. *And be it further enacted*, That each and every person claiming the benefit of this act, shall, on or before the first day of September next, give notice, in writing, to the Secretary of the Treasury, or to the surveyor-general, that they claim the right of pre-emption, by this act offered, and do assent to the terms of sale established by this act. And if any person shall neglect to give the said notice, or shall fail in making the first payment, as before directed, all right of pre-emption shall cease, and become void; and the lands shall be surveyed and sold agreeably to the directions of the before-recited act.

Notice to be given by purchasers.

Right of pre-emption may be lost, &c.

SEC. 3. *And be it further enacted*, That the surveyor-general shall, as soon as may be, after the receipt of the notice aforesaid, lay off and survey the said lands, agreeably to the directions of the said recited act, unless the said lands have been heretofore surveyed and laid off by the said contractors or settlers; in which case, the surveyor-general shall survey the outlines of such tract or tracts, so as to ascertain the contents, and shall cause the same to be recorded and deposited, as in and by the said recited act is directed for the plats and surveys made under that act.

The lands to be surveyed.

SEC. 4. *And be it further enacted*, That it may be lawful for the Secretary of the Treasury to credit the said purchasers with such reasonable sum or sums of money as have been expended in surveying the said land; provided the same does not exceed the sums allowed by the United States to their own surveyors for the like services.

Purchasers may be credited with the expense of surveying.

SEC. 5. *And be it further enacted*, That the evidences of the public debt of the United States shall be receivable in payment for the said lands, agreeably to the directions of an act, intituled "An act to authorize the receipt of evidences of the public debt in payment for the lands of the United States." (b)

Evidences of public debt may be received in payment.

(a) See No. 11.

(b) See Nos. 4, 6, 23, 30, 31, 32, 36, 133, 170, 181.

No. 17.—AN ACT giving further time to the holders of military warrants, to register, and locate the same.

Feb. 11, 1800.
Vol. 2, p. 7.

Be it enacted, &c., That the Secretary of the Treasury shall, for the space of fourteen days after the expiration of the nine months heretofore allowed for that purpose, by the act, intituled "An act regulating the grants of land, appropriated for military services, and for the Society of the United Brethren for propagating the Gospel among the Heathen," register warrants for military services in the form and manner as is prescribed by the said recited act; and the priority of location of said warrants, and the warrants registered under the said recited act shall be determined by lot, immediately after the expiration of the said fourteen days, and a day for the location shall be fixed by the Secretary of the Treasury, in a public notice given in one of the gazettes of the city of Philadelphia. (a)

Time extended for registering warrants.

Priority of location to be determined by lot.

(a) See Nos. 12, 15, 18, 27, 32, 34, 38, 42, 49, 50, 60, 71, 128, 130, 131, 135, 139.

No. 18.—AN ACT in addition to an act intituled "An act regulating the grants of land appropriated for military services, and for the Society of the United Brethren for propagating the Gospel among the Heathen."

March 1, 1800.
Vol. 2, p. 14.

SECTION 1. *Be it enacted, &c.*, That the respective points of intersection of the lines actually run, as the boundaries of the several townships surveyed by virtue of the act intituled "An act regulating the grants of land appropriated for military services and for the Society of the United Brethren for propagating the Gospel among the Heathen," accordingly as the said lines have been marked and ascertained at the time when the same were run, notwithstanding the same are not in conformity to the act aforesaid, or shall not appear to correspond

Points of intersection of the lines actually run are to be considered as the corners of townships.

Boundaries of quarter townships, where they are stated to contain four thousand acres.

Boundaries of quarter townships, where they are stated to contain more or less than four thousand acres.

Method of running lines.

Locations may be made on the general tract by the holders of warrants for military services.

Certain fractional quarter townships to be taken for four thousand acres.

When locations are made on quarter townships stated to contain less than four thousand acres, the Secretary of Treasury shall cause certificates to be issued for the deficiency.

What is to be done when they are made on quarter townships stated to contain more than four thousand acres.

Land at two dollars per acre.

Reservations for satisfying warrants granted to individuals for their services.

with the plat of the survey which has been returned by the surveyor-general, shall be considered, and they are hereby declared to be the corners of the said townships: That in regard to every such township as by the plat and survey returned by the surveyor-general is stated to contain four thousand acres in each quarter thereof, the points on each of the boundary lines of such township, which are at an equal distance from those two corners of the same township, which stand on the same boundary line, shall be considered and they are hereby declared to be corners of the respective quarters of such township; that the other boundary lines of the said quarter townships shall be straight lines run from each of the last-mentioned corners of quarter townships to the corner of quarter townships on the opposite boundary line of the same township; and that in regard to every such township as by the said return is stated to contain in any of the quarters thereof more or less than the quantity of four thousand acres, the corners marked in the boundary lines of such township to designate the quarters thereof, shall be considered and they are hereby declared to be the corners of the quarter townships thereof, although the same may be found at unequal distances from the respective corners of such townships: And such townships shall be divided by running lines through the same from the corners of the quarter townships actually marked, whether the interior lines thus extended shall be parallel to the exterior lines of the said township or not; and that each of the said quarter townships thus bounded, shall, in every proceeding to be had under the above-mentioned or this act, be considered as containing the exact quantity expressed in the plat and survey thereof returned by the surveyor-general. (a)

SEC. 2. *And be it further enacted*, That it shall be lawful for the proprietors or holders of warrants for military services, which have been, or shall be registered at the Treasury in pursuance of the act intituled "An act regulating the grants of land appropriated for military services, and for the Society of the United Brethren, for propagating the Gospel among the Heathen," during the time, in the manner, and according to the rights of priority, which may be acquired in pursuance of said act, to locate the quantities of land mentioned in the warrants by them respectively registered, as aforesaid, on any quarter township or fractional part of a quarter township, in the general tract mentioned and described in said act: *Provided always*, That the fractional quarter townships upon the river Sciota, and those upon the river Muskingum adjoining the grant made to Ebenezer Zane, or the towns Salem, Gnadenhutten, or Shoenbrun, or the Indian boundary line, shall in every case be accepted and taken in full satisfaction for four thousand acres. (b)

SEC. 3. *And be it further enacted*, That whenever locations shall be made on any quarter township, which, according to the actual survey and plat thereof, returned by the surveyor-general, is stated to contain less than the quantity of four thousand acres, except in the case of fractions provided for in the preceding section, it shall be lawful for the Secretary of the Treasury to issue, or cause to be issued, certificates, expressing the number of acres remaining unsatisfied of any registry of warrants for the quantity of four thousand acres, made in pursuance of the act before recited, which certificates shall have the same validity and effect, and be liable to be barred in like manner as warrants granted for military services, but no certificate shall be granted, nor any claim allowed for less than fifty acres, nor for the navigable water contained within the limits of any quarter township or fractional quarter township.

SEC. 4. *And be it further enacted*, That whenever a location shall be made on any quarter township, which, according to the actual survey and plat thereof, returned by the surveyor-general, is stated to exceed the quantity of four thousand acres, no patent shall be issued in pursuance thereof, until the person making such location, shall deposit at the Treasury, warrants for military services or certificates issued by virtue of the preceding section, equal to the excess above four thousand acres, contained in such quarter township, or shall pay into the Treasury of the United States two dollars per acre, in the certificates of the six per cent. funded debt of the United States, or money, for each acre of the excess above four thousand acres as aforesaid. (c)

SEC. 5. *And be it further enacted*, That after the priority of location shall have been determined, and after the proprietors or holders of warrants for military services shall have designated the tracts by them re-

spectively elected; it shall be the duty of the Secretary of the Treasury to designate by lot, in the presence of the Secretary of War, fifty quarter townships, of the lands remaining unlocated, which quarter townships, together with the fractional parts of townships remaining unlocated, shall be reserved for satisfying warrants granted to individuals for their military services, in the manner hereafter provided.

SEC. 6. *And be it further enacted*, That the land in each of the quarter townships designated as aforesaid, and in such of the fractional parts of quarter townships, as may then remain unlocated, shall be divided by the Secretary of the Treasury, upon the respective plats thereof, as returned by the surveyor-general, into as many lots, of one hundred acres each, as shall be equal, as nearly as may be, to the quantity such quarter township or fraction is stated to contain; each of which lots shall be included, where practicable, between parallel lines, one hundred and sixty perches in length, and one hundred perches in width, and shall be designated by progressive numbers upon the plat, or survey of every such quarter township and fraction respectively. (a)

Reservations to be divided into lots of one hundred acres.

Manner in which they shall be surveyed.

SEC. 7. *And be it further enacted*, That from and after the sixteenth day of March next, it shall be lawful for the holder of any warrant granted for military services, to locate, at any time before the first day of January, one thousand eight hundred and two, the number of hundred acres expressed in such warrant, on any lot or lots, from time to time, remaining unlocated within the tracts reserved as aforesaid, and upon surrendering such warrant to the Treasury, the holder thereof shall be entitled to receive a patent in the manner, and upon the conditions heretofore prescribed by law; which patent shall in every case express the range, township, quarter township or fraction, and number of the lot located as aforesaid. But no location shall be allowed, nor shall any patent be issued for any lot or lots of one hundred acres, except in the name of the person originally entitled to such warrant, or the heir or heirs of the person so entitled; nor shall any land, so located and patented, to a person originally entitled to such warrant, be considered as in trust for any purchaser, or be subject to any contract made before the date of such patent, and the title to lands acquired, in consequence of patents issued as aforesaid, shall and may be alienated in pursuance of the laws, which have been, or shall be passed in the territory of the United States northwest of the river Ohio, for regulating the transfer of real property, and not otherwise.

Holders of such warrants may make locations on those lots, and receive patents to their own use only, after 16th March, 1800, and before Jan. 1st, 1802.

Upon surrender of warrant shall receive patent.

SEC. 8. *And be it further enacted*, That in all cases after the sixteenth of March next, where more than one application is made for the same tract, at the same time, under this act, or under the act to which this is in addition, the Secretary of the Treasury shall determine the priority of location by lot.

Where locations are made on the same tract, priority to be determined by lot.

SEC. 9. *And be it further enacted*, That it shall be the duty of the Secretary of the Treasury to advertise the tracts which may be reserved for location, in lots of one hundred acres, in one newspaper in each of the States, and in the territory aforesaid, for and during the term of three months.

Public notice to be given of the reservations by the Secretary of the Treasury.

SEC. 10. *And be it further enacted*, That the actual plat and survey, returned by the surveyor-general, of quarter townships and fractional parts of quarter townships, contained in the tract mentioned and described in the act to which this is a supplement, shall be considered as final and conclusive, so far as relates to the quantity of land supposed to be contained in the quarter townships, and fractions, so that no claim shall hereafter be set up against the United States, by any proprietor, or holder of warrants for military services, on account of any deficiency in the quantity of land contained in the quarter township or fractional part of a quarter township, which shall have been located by such proprietor or holder, nor shall any claim be hereafter set up by the United States, against such proprietor or holder, on account of any excess in the quantity of land contained therein. (c)

The plat returned by the surveyor-general to be conclusive as to quantity.

(a) See Nos. 11, 32, 38, 42, 71, 130.

(b) See Nos. 10, 12, 102, 111, 176.

(c) See Nos. 12, 15, 17, 27, 32, 34, 38, 42, 49, 50, 60, 71, 128, 130, 131, 135, 139.

April 28, 1800.
Vol. 2, p. 56.

The President may issue letters-patent releasing the right of the United States to the soil of the Western Reserve.

Provided Connecticut shall cede to the United States certain western lands ;

and execute a deed relinquishing her jurisdictional claim to the Western Reserve.

Saving certain constructions.

No. 19.—AN ACT to authorize the President of the United States to accept, for the United States, a cession of jurisdiction of the territory west of Pennsylvania, commonly called the Western Reserve of Connecticut.

Be it enacted, &c., That the President of the United States be, and he hereby is authorized to execute and deliver letters-patent in the name and behalf of the United States, to the governor of the State of Connecticut for the time being, for the use and benefit of the persons holding and claiming under the State of Connecticut, their heirs and assigns for ever, whereby all the right, title, interest and estate of the United States, to the soil of that tract of land lying west of the west line of Pennsylvania, as claimed by the State of Pennsylvania, and as the same has been actually settled, ascertained and run in conformity to an agreement between the said State of Pennsylvania and the State of Virginia, and extending from said line westward one hundred and twenty statute miles in length, and in breadth throughout the said limits in length from the completion of the forty-first degree of north latitude, until it comes to forty-two degrees and two minutes north latitude, including all that territory commonly called the Western Reserve of Connecticut, and which was excepted by said State of Connecticut out of the cession by the said State heretofore made to the United States, and accepted by a resolution of Congress of the fourteenth of September, one thousand seven hundred and eighty-six, shall be released and conveyed as aforesaid to the said governor of Connecticut, and his successors in said office, for ever, for the purpose of quieting the grantees and purchasers under said State of Connecticut, and confirming their titles to the soil of the said tract of land.

Provided, however, That such letters-patent shall not be executed and delivered, unless the State of Connecticut shall, within eight months from passing this act, by a legislative act, renounce for ever, for the use and benefit of the United States, and of the several individual States who may be therein concerned respectively, and of all those deriving claims or titles from them or any of them, all territorial and jurisdictional claims whatever, under any grant, charter or charters whatever, to the soil and jurisdiction of any and all lands whatever lying westward, northwestward, and southwestward of those counties in the State of Connecticut, which are bounded westwardly by the eastern line of the State of New York, as ascertained by agreement between Connecticut and New York, in the year one thousand seven hundred and thirty-three, excepting only from such renunciation the claim of said State of Connecticut, and of those claiming from or under the said State, to the soil of said tract of land herein described under the name of the Western Reserve of Connecticut.

And provided also, That the said State of Connecticut shall, within the said eight months from and after passing this act, by the agent or agents of said State duly authorized by the legislature thereof, execute and deliver to the acceptance of the President of the United States, a deed expressly releasing to the United States the jurisdictional claim of the said State of Connecticut, to the said tract of land herein described under the name of the Western Reserve of Connecticut, and shall deposit an exemplification of said act of renunciation, under the seal of the said State of Connecticut, together with said deed releasing said jurisdiction, in the office of the Department of State of the United States, which deed of cession when so deposited shall vest the jurisdiction of said territory in the United States: *Provided,* That neither this act, nor any thing contained therein, shall be construed so as in any manner to draw into question the conclusive settlement of the dispute between Pennsylvania and Connecticut, by the decree of the Federal court at Trenton, nor to impair the right of Pennsylvania or any other State, or of any person or persons claiming under that or any other State, in any existing dispute concerning the right, either of soil or of jurisdiction, with the State of Connecticut, or with any person or persons claiming under the State of Connecticut: *And provided also,* That nothing herein contained shall be construed in any manner to pledge the United States for the extinguishment of the Indian title to the said lands, or further than merely to pass the title of the United States thereto.

May 7, 1800.
Vol. 2, p. 58.

No. 20.—AN ACT to divide the territory of the United States northwest of the Ohio, into two separate governments.

[See "INDIANA," No. 193.]

No. 21.—AN ACT to amend the act intituled "An act providing for the sale of the lands of the United States, in the territory northwest of the Ohio, and above the mouth of Kentucky River."

May 10, 1800.
Vol. 2, p. 73.

SECTION 1. *Be it enacted, &c.,* That for the disposal of the lands of the United States, directed to be sold by the act, intituled "An act providing for the sale of the lands of the United States, in the territory northwest of the Ohio, and above the mouth of Kentucky River," there shall be four land offices established in the said territory: one at Cincinnati, for lands below the Little Miami, which have not heretofore been granted; one at Chilicothe, for lands east of the Scioto, south of the lands appropriated for satisfying military bounties to the late army of the United States, and west of the fifteenth range of townships; one at Marietta, for the lands east of the sixteenth range of townships, south of the before-mentioned military lands, and south of a line drawn due west from the northwest corner of the first township of the second range, to the said military lands; and one at Steubenville, for the lands north of the last-mentioned line, and east or north of the said military lands. Each of the said offices shall be under the direction of an officer to be called "the register of the land office," who shall be appointed by the President of the United States, by and with the advice and consent of the Senate, and shall give bond to the United States, with approved security, in the sum of ten thousand dollars, for the faithful discharge of the duties of his office; and shall reside at the place where the land office is directed to be kept. (a)

Four land offices established under the direction of registers-

SEC. 2. *And be it further enacted,* That it shall be the duty of the surveyor-general, and he is hereby expressly enjoined, to prepare and transmit to the registers of the several land offices, before the days herein appointed for commencing sales, general plats of the lands hereby directed to be sold at the said offices respectively, and also to forward copies of each of the said plats to the Secretary of the Treasury.

Surveyor-general to transmit certain plats.

SEC. 3. *And be it further enacted,* That the surveyor-general shall cause the townships west of the Muskingum, which by the above-mentioned act are directed to be sold in quarter townships, to be subdivided into half-sections of three hundred and twenty acres each, as nearly as may be, by running parallel lines through the same from east to west, and from south to north, at the distance of one mile from each other, and marking corners, at the distance of each half mile on the lines running from east to west, and at the distance of each mile on those running from south to north, and making the marks, notes and descriptions, prescribed to surveyors by the above-mentioned act: And the interior lines of townships intersected by the Muskingum, and of all the townships lying east of that river, which have not been heretofore actually subdivided into sections, shall also be run and marked in the manner prescribed by the said act, for running and marking the interior lines of townships directed to be sold in sections of six hundred and forty acres each. And in all cases where the exterior lines of the townships, thus to be subdivided into sections or half-sections, shall exceed or shall not extend six miles, the excess or deficiency shall be specially noted, and added to or deducted from the western and northern ranges of sections or half-sections in such township, according as the error may be in running the lines from east to west, or from south to north; the sections and half-sections bounded on the northern and western lines of such townships shall be sold as containing only the quantity expressed in the returns and plats respectively, and all others as containing the complete legal quantity. And the President of the United States shall fix the compensation of the deputy surveyors, chain-carriers, and axemen: *Provided,* The whole expense of surveying and marking the lines, shall not exceed three dollars for every mile that shall be actually run, surveyed and marked. (b)

He shall cause certain lines to be run and marked.

SEC. 4. *And be it further enacted,* That the lands thus subdivided (excluding the sections reserved by the above-mentioned act) shall be offered for sale in sections and half-sections, subdivided as before directed at the following places and times, that is to say: Those below the Little Miami shall be offered at public vendue, in the town of Cincinnati, on the first Monday of April one thousand eight hundred and one, under the direction of the register of the land office there established, and of either the governor or secretary of the Northwestern Territory. The lands east of Scioto, south of the military lands, and west of the fifteenth range of townships, shall be offered in like manner for

Certain lands to be sold.

sale at Chilicothe, on the first Monday of May, one thousand eight hundred and one, under the direction of the register of the land office there established, and of either the governor or secretary of the said territory. The lands east of the sixteenth range of townships, south of the military lands and west of the Muskingum, including all the townships intersected by that river, shall be offered for sale in like manner at Marietta, on the last Monday of May, one thousand eight hundred and one, under the direction of the governor or secretary, or surveyor-general of the said territory. The sales shall remain open at each place for three weeks, and no longer. The superintendents shall observe the rules and regulations of the above-mentioned act, in classing and selling fractional with entire sections, and in keeping and transmitting accounts of the sales. All lands, remaining unsold, at the closing of either of the public sales, may be disposed of at private sale by the registers of these respective land offices, in the manner hereinafter prescribed; and the register of the land office at Steubenville, after the first day of July next, may proceed to sell, at private sale, the lands situate within the district assigned to his direction as herein before described, disposing of the same in sections, and classing fractional with entire sections, according to the provisions and regulations of the above-mentioned act and of this act: And the register of the land office at Marietta, after the said first day of July next, may proceed to sell at private sale, any of the lands within the district assigned to his direction as aforesaid, which are east of the river Muskingum, excluding the townships intersected by that river, disposing of the same in sections, and classing fractional with entire sections as aforesaid.

Limitation of the price, and mode of purchase and payment.

SEC. 5. *And be it further enacted*, That no lands shall be sold by virtue of this act, at either public or private sale, for less than two dollars per acre, and payment may be made for the same by all purchasers, either in specie, or in evidences of the public debt of the United States, at the rates prescribed by the act, intituled, "An act to authorize the receipt of evidences of the public debt in payment for the lands of the United States;" and shall be made in the following manner, and under the following conditions, to wit:

Fees to be paid.

1. At the time of purchase, every purchaser shall, exclusively of the fees hereafter mentioned, pay six dollars for every section, and three dollars for every half-section, he may have purchased, for surveying expenses, and deposit one-twentieth part of the amount of purchase money, to be forfeited, if within forty days one-fourth part of the purchase money, including the said twentieth part, is not paid.

One-fourth of the purchase money to be paid.

2. One-fourth part of the purchase money shall be paid within forty days after the day of sale as aforesaid; another fourth part shall be paid within two years; another fourth part within three years; and another fourth part within four years after the day of sale.

Grade of purchase.

3. Interest, at the rate of six per cent. a year from the day of sale, shall be charged upon each of the three last payments, payable as they respectively become due.

A discount allowed for payment before due.

4. A discount at the rate of eight per cent. a year, shall be allowed on any of the three last payments, which shall be paid before the same shall become due, reckoning this discount always upon the sum, which would have been demandable by the United States, on the day appointed for such payment.

If one fourth part is not paid the land may be sold at private sale.

5. If the first payment of one-fourth part of the purchase money shall not be made within forty days after the sale, the deposit, payment and fees, paid and made by the purchaser, shall be forfeited, and the lands shall and may, from and after the day, when the payment of one-fourth part of the purchase money should have been made, be disposed of at private sale, on the same terms and conditions, and in the same manner as the other lands directed by this act to be disposed of at private sale: *Provided*, That the lands which shall have been sold at public sale, and which shall, on account of such failure of payment, revert to the United States, shall not be sold at private sale, for a price less than the price that shall have been offered for the same at public sale.

If a tract is not paid for in one year, to be re-sold.

6. If any tract shall not be completely paid for within one year after the date of the last payment, the tract shall be advertised for sale by the register of the land office within whose district it may lie, in at least five of the most public places in the said district, for at least thirty days before the time of sale. And he shall sell the same at public vendue, during the sitting of the court of quarter sessions of the county in which the land office is kept, for a price not less than the whole arrears

due thereon, with the expenses of sale; the surplus, if any, shall be returned to the original purchaser, or to his legal representative; but if the sum due, with interest, be not bidden and paid, then the land shall revert to the United States. All monies paid therefor shall be forfeited, and the register of the land office may proceed to dispose of the same to any purchaser, as in case of other lands at private sale. (c)

SEC. 6. *And be it further enacted*, That all and every the payments, to be made by virtue of the preceding section, shall be made either to the Treasurer of the United States, or to such person or officer as shall be appointed by the President of the United States, with the advice and consent of the Senate, receiver of public monies for lands of the United States, at each of the places respectively where the public and private sales of the said lands are to be made; and the said receiver of public monies shall, before he enters upon the duties of his office, give bond with approved security, in the sum of ten thousand dollars, for the faithful discharge of his trust; and it shall be the duty of the said Treasurer and receiver of public monies to give receipts for the monies by them received, to the persons respectively paying the same; to transmit within thirty days in case of public sale, and quarterly, in case of private sale, an account of all the public monies by them received, specifying the amount received from each person, and distinguishing the sums received for surveying expenses, and those received for purchase money, to the Secretary of the Treasury, and to the registers of the land office, as the case may be. The said receivers of public monies shall, within three months after receiving the same, transmit the monies by them received to the Treasurer of the United States; and the receivers of public monies for the said sales, and also the receivers of public monies for the sales which have taken place at Pittsburg under the act, intituled "An act providing for the sale of the lands of the United States in the territory northwest of the Ohio, and above the mouth of Kentucky River," shall receive one per cent. on the money received, as a compensation for clerk hire, receiving, safe-keeping, and transmitting it to the Treasury of the United States.

Payments to be made to the Treasurer or receivers of public monies.

Duty of receivers of public monies.

Their compensation.

SEC. 7. *And be it further enacted*, That it shall be the duty of the registers of the land offices respectively, to receive and enter on books kept for that purpose only, and on which no blank leaves or space shall be left between the different entries, the applications of any person or persons who may apply for the purchase of any section or half-section, and who shall pay him the fee hereafter mentioned, and produce a receipt from the Treasurer of the United States, or from the receiver of public monies appointed for that purpose, for three dollars for each half-section such person or persons may apply for, and for at least one-twentieth part of the purchase money, stating carefully in each entry the date of the application, the date of the receipt to him produced, the amount of monies specified in the said receipt, and the number of the section or half-section, township and range applied for. If two or more persons shall apply at the same time for the same tract, the register shall immediately determine by lot, in presence of the parties, which of them shall have preference. He shall file the receipt for monies produced by the party, and give him a copy of his entry, and if required, a copy of the description of the tract, and a copy of the plat of the same, or either of them; and it shall be his duty to inform the party applying for any one tract, whether the same has already been entered, purchased, or paid for, and at his request to give him a copy of the entry or entries concerning the same. He shall, three months after the date of each application, if the party shall not have, within that time, produced to him a receipt of the payment of one-fourth part of the purchase money, including the twentieth part above mentioned, enter under its proper date, in the said book of entries, that the payment has not been made, and that the land has reverted to the United States, and he shall make a note of the same in the margin of the book opposite to the original entry. And if the party shall, either at the time of making the original entry, or at any time within three months thereafter, produce a receipt to him, for the fourth part of the purchase money, including the twentieth part aforesaid, he shall file the receipt, make an entry of the same, under its proper date, in the said book of entries, make a note of the same in the margin of the book, opposite to the original entry, and give to the party a certificate, describing the land sold, the sum paid on account, the balance remaining due, the time and times when such balance shall become due, and that if it shall

Duty of the registers of the land offices.

Patents to be issued.

be duly discharged, the purchaser or his assignee or other legal representative, shall be entitled to a patent for the said lands; he shall also, upon any subsequent payment being made, and a receipt from the receiver being produced to him, file the original receipt, give a receipt for the same to the party, and enter the same to the credit of the party, in a book kept for that purpose, in which he shall open an account in the name of each purchaser, for each section or half-section that may be sold either at public or private sale, and in which he shall charge the party for the whole purchase money, and give him credit for all his payments; making the proper charges and allowances for interest or discount, as the case may be, according to the provisions of the fourth section of this act; and upon the payment being completed and the account finally settled, he shall give a certificate of the same to the party; and on producing to the Secretary of the Treasury, the same final certificate, the President of the United States is hereby authorized to grant a patent for the lands to the said purchaser, his heirs or assigns; and all patents shall be countersigned by the Secretary of State, and recorded in his office.

Registers to note the sales upon the surveys &c.

SEC. 8. *And be it further enacted*, That the registers of the land offices respectively, shall also note on the book of surveys, or original plat transmitted to them, every tract which may be sold, by inserting the letter A on the day when the same is applied for, and the letter P on the day when a receipt for one fourth part of the purchase money is produced to them, and by crossing the said letter A on the day when the land shall revert to the United States, on failure of the payment of one-fourth part of the purchase money within three months after the date of application. And the said book of surveys or original plat shall be open at all times, in presence of the register, for the inspection of any individual, applying for the same and paying the proper fee.

Registers to make certain quarterly returns.

SEC. 9. *And be it further enacted*, That it shall be the duty of the registers of the land offices to transmit quarterly to the Secretary of the Treasury, and to the surveyor-general, an account of the several tracts applied for, of the several tracts for which the payment of one-fourth part of the purchase money has been made, of the several tracts which have reverted to the United States on failure of the said payment; and also an account of all the payments of monies by them entered, according to the receipts produced to them, specifying the sums of money, the names of the persons paying the same, the names of the officers who have received the same, and the tracts for which the same have been paid.

Mode of making purchases by registers.

SEC. 10. *And be it further enacted*, That the registers aforesaid shall be precluded from entering on their books any application for lands in their own name, and in the name of any other person in trust for them; and if any register shall wish to purchase any tract of land, he may do it by application in writing to the surveyor-general, who shall enter the same on books kept for that purpose by him, who shall proceed in respect to such applications, and to any payments made for the same, in the same manner which the registers by this act are directed to follow, in respect to applications made to them for lands by other persons. The registers shall, nevertheless, note on the book of surveys, or original plat, the applications and payments thus by them made, and their right to the pre-emption of any tract shall bear date from the day, when their application for the same shall have been entered by the surveyor-general in his own book. And if any person applying for any tract shall, notwithstanding he shall have received information from the register, that the same has already been applied for by the said register, or by any other person, insist to make the application, it shall be the duty of the register to enter the same, noting in the margin that the same tract is already purchased, but upon application of the party made in writing, and which he shall file, he may and shall at any future time enter under its proper date, that the party withdraws his former application, and applies in lieu thereof for any other tract: *Provided always*, That the party shall never be allowed thus to withdraw his former application, and to apply in lieu thereof for another tract, except when the tract described in his former application shall have been applied for previous to the date of that his former application.

Secretary of the Treasury may prescribe further regulations.

SEC. 11. *And be it further enacted*, That the Secretary of the Treasury shall and may prescribe such further regulations, in the manner of keeping books and accounts, by the several officers in this act mentioned, as to him may appear necessary and proper, in order fully to carry into effect the provisions of this act.

SEC. 12. *And be it further enacted*, That the registers of the land offices, respectively, shall be entitled to receive from the Treasury of the United States, one-half per cent. on all the monies expressed in the receipts by them filed and entered, and of which they shall have transmitted an account to the Secretary of the Treasury, as directed by this act; and they shall further be entitled to receive, for their own use, from the respective parties, the following fees for services rendered, that is to say; for every original application for land, and a copy of the same, for a section three dollars, for a half-section two dollars; for every certificate stating that the first fourth part of the purchase money is paid, twenty-five cents; for every subsequent receipt for monies paid, twenty-five cents; for the final settlement of account and giving the final certificate of the same, one dollar; for every copy, either of an application or of the description of any section or half-section, or of the plat of the same, or of any entry made on their books, or of any certificate heretofore given by them, twenty-five cents for each; and for any general inspection of the book of surveys, or general plat, made in their presence, twenty-five cents.

Allowance to the registers.

SEC. 13. *And be it further enacted*, That the superintendents of the public sales, to be made by virtue of this act, and the superintendents of the sales which have taken place by virtue of the act, intituled "An act providing for the sale of the lands of the United States in the territory northwest of the river Ohio, and above the mouth of Kentucky River," shall receive five dollars a day for every day whilst engaged in that business; and the accounting officers of the Treasury are hereby authorized to allow a reasonable compensation for books, stationery and clerk hire in settling the accounts of the said superintendents.

Allowance to superintendents of public sales.

SEC. 14. *And be it further enacted*, That the fee to be paid for each patent for half a section shall be four dollars, and for every section five dollars, to be accounted for by the receiver of the same.

Patent fees.

SEC. 15. *And be it further enacted*, That the lands of the United States reserved for future disposition, may be let upon leases by the surveyor-general, in sections or half-sections, for terms not exceeding seven years, on condition of making such improvements as he shall deem reasonable.

Leases of the reservations may be given by surveyor-general.

SEC. 16. *And be it further enacted*, That each person who, before the passing of this act, shall have erected, or begun to erect, a grist-mill or saw-mill upon any of the lands herein directed to be sold, shall be entitled to the pre-emption of the section including such mill, at the rate of two dollars per acre: *Provided*, The person or his heirs claiming such right of pre-emption, shall produce to the register of the land office satisfactory evidence that he or they are entitled thereto, and shall be subject to and comply with the regulations and provisions by this act prescribed for other purchasers.

Pre-emption right given to builders of mills.

SEC. 17. *And be it further enacted*, That so much of the act providing for the sale of the lands of the United States in the territory northwest of the river Ohio, and above the mouth of Kentucky River, as comes within the purview of this act, be, and the same is hereby repealed.

Repeal of part of the former act.

(a) See Nos. 21, 25, 29, 30, 32, 35, 39, 41, 44, 47, 52, 59, 65, 76, 79, 80, 81, 85, 88, 90, 99, 104, 140, 158, 189.

(b) See Nos. 11, 12, 13, 21, 23, 25, 32, 36, 37, 42, 65, 76, 79, 81, 102, 119, 158.

(c) See Nos. 11, 16, 21, 25, 29, 30, 32, 36, 39, 41, 43, 44, 47, 48, 52, 58, 59, 65, 76, 79, 80, 81, 83, 84, 85, 87, 88, 90, 99, 102, 108, 111, 113, 126, 130, 132, 133, 145, 155, 158, 175, 185.

NO. 22.—AN ACT to authorize the issuing certain patents.

May 13, 1800.
Vol. 2, p. 80.

SECTION 1. *Be it enacted, &c.*, That it shall be lawful, and the proper officer is hereby authorized to issue patents on surveys, which have been, or may be made within the territory reserved by the State of Virginia, northwest of the river Ohio, and being part of her cession to Congress, on warrants for military services, issued in pursuance of any resolution of the legislature of that State, previous to the passing of this act, in favor of persons who had served in the Virginia line on the continental establishment: *Provided*, That the whole quantity of land for which patents shall issue by virtue of this act, shall not exceed sixty thousand acres; and that the surveys aforesaid shall be completed and deposited in the office of the Secretary of War, on or before the first day of December, one thousand eight hundred and three: *And provided also*, That this act shall not give any force or validity to the entries, locations or surveys, heretofore made in pursuance of these warrants,

Provision for satisfying resolution warrants for Virginia military lands.

Proviso.

so far as such entries, locations, or surveys interfere, in any manner with those of persons claiming the same lands under entries, locations, or surveys, heretofore made in pursuance of warrants, granted by the State of Virginia to the officers and soldiers in the line of that State on continental establishment.

In case of eviction, warrants may be withdrawn and located elsewhere.

SEC. 2. *And be it further enacted*, That in every case of interfering claims under military warrants, to lands within the territory so reserved by the State of Virginia, when either party to such claims shall lose, or be evicted from the land, every such party shall have a right, and hereby is authorized to withdraw his, her or their warrant, respectively, to the amount of such loss or eviction, and to enter, survey, and patent the same, on any vacant land within the bounds aforesaid, and in the same manner as other warrants may be entered, surveyed and patented. (a)

(a) See Nos. 1, 8, 27, 32, 35, 45, 46, 51, 58, 64, 66, 82, 93, 98, 112, 119, 121, 128, 146, 154, 159, 166, 172, 174, 177, 180, 183, 184, 187, 190.

Feb. 18, 1801.
Vol. 2, p. 100.

No. 23.—AN ACT regulating the grants of land appropriated for the refugees from the British provinces of Canada and Nova Scotia.

Survey of lands for the refugees from Canada, &c., to be made.

SECTION 1. *Be it enacted, &c.*, That the surveyor-general be, and he is hereby directed to cause those fractional townships of the sixteenth, seventeenth, eighteenth, nineteenth, twentieth, twenty-first and twenty-second ranges of townships, which join the southern boundary line of the military lands, to be subdivided into half-sections, containing three hundred and twenty acres each; and to return a survey and description of the same to the Secretary of the Treasury, on or before the first Monday of December next; and that the said lands be, and they are hereby set apart and reserved for the purpose of satisfying the claims of persons entitled to lands under the act, intituled "An act for the relief of the refugees from the British provinces of Canada and Nova Scotia."

How locations shall be made.

SEC. 2. *And be it further enacted*, That the Secretary of the Treasury shall, within thirty days after the survey of the lands shall have been returned to him as aforesaid, proceed to determine, by lot to be drawn in the presence of the Secretaries of State and of War, the priority of location of the persons entitled to lands as aforesaid. The persons, thus entitled, shall severally make their locations on the second Tuesday of January next, and the patents for the lands thus located shall be granted in the manner directed for military lands, without requiring any fee whatever.

Patents to be granted.

Quantities of land assigned to the refugees, by name.

SEC. 3. *And be it further enacted*, That the following persons, claiming lands under the above-mentioned act, shall respectively be entitled to the following quantities of land; that is to say: Martha Walker, widow of Thomas Walker, John Edgar, P. Francis Cazeau, John Allan, and Seth Harding, respectively, two thousand two hundred and forty acres each; Jonathan Eddy, Colonel James Livingston, and Parker Clark, respectively, one thousand two hundred and eighty acres each; and the heirs of John Dodge, one thousand two hundred and eighty acres; Thomas Faulkner, Edward Faulkner, David Gay, Martin Brooks, Lieutenant-Colonel Bradford, Noah Miller, Joshua Lamb, Atwood Fales, John Starr, William How, Ebenezer Gardner, Lewis F. Delesdernier, John McGown, and Jonas C. Minot, respectively, nine hundred and sixty acres each; and the heirs of Simeon Chester, nine hundred and sixty acres; Jacob Vander Heyden, John Livingston, James Crawford, Isaac Danks, Major B. Von Heer, Benjamin Thompson, Joseph Bindon, Joseph Levittre, Lieutenant William Maxwell, John D. Mercier, James Price, Seth Noble, Martha Bogart, relict of Abraham Bogart, and formerly relict of Daniel Tucker, and John Halsted, respectively, six hundred and forty acres each; David Jenks, Ambrose Cole, James Cole, Adam Johnson, the widow and heirs of Colonel Jeremiah Duggan, Daniel Earl, junior, John Paskell, Edward Chinn, Joseph Cone, and John Torreyre, respectively, three hundred and twenty acres each; Samuel Fales, one hundred and sixty acres; which several tracts of land shall, except the last, be located in half-sections by the respective claimants. (a)

(a) See Nos. 33, 33a, 50a, 55, 80.

No. 24.—AN ACT for the relief of Arnold Henry Dorhman, or his legal representatives.

Feb. 27, 1801.
Vol. 6, p. 43.

Be it enacted, &c., That the President of the United States be, and he is hereby authorized to issue a patent for the thirteenth township, in the seventh range, to Arnold Henry Dorhman, or his legal representatives, agreeably to a resolution of Congress of the first day of October, in the year one thousand seven hundred and eighty-seven.

Patent for land
to be issued.

No. 25.—AN ACT giving a right of pre-emption to certain persons who have contracted with John Cleves Symmes, or his associates, for lands lying between the Miami rivers, in the territory of the United States northwest of the Ohio.

March 3, 1801.
Vol. 2, p. 112.

SECTION 1. *Be it enacted, &c.,* That any person or persons, and the legal representative or representatives of any person or persons, who, before the first day of January, in the year of our Lord one thousand eight hundred, had made any contract or contracts in writing, or by any note or memorandum thereof in writing, either with John Cleves Symmes, or with any of his associates, or who had made to him or them, any payment of money for the purchase of lands, situate between the Miami rivers, within the limits of a survey made by Israel Ludlow, in conformity to an act of Congress of the twelfth of April, one thousand seven hundred and ninety-two, and not comprehended within the limits of a tract of land, conveyed to John Cleves Symmes and his associates, by letters-patent, bearing date the thirtieth of September, one thousand seven hundred and ninety-four, in the territory of the United States northwest of the Ohio, shall be entitled to a preference, in becoming the purchasers, from the United States, of all the lands so contracted for, at the price of two dollars per acre, exclusive of the surveying fees, and other incidental expenses; and payment may be made therefor, to the Treasurer of the United States, or the receiver of public monies for the lands of the United States at Cincinnati, in like instalments, and under the same conditions, as directed by the act intituled "An act to amend the act, intituled 'An act providing for the sale of the lands of the United States, in the territory of the United States northwest of the Ohio, and above the mouth of Kentucky River.'" *Provided however,* That no interest shall be charged upon any of the instalments until they respectively become payable.

Right of pre-emption given to certain persons who have contracted with J. C. Symmes, &c.

SEC. 2. *And be it further enacted,* That every person, claiming the benefit of the first section of this act, shall, on or before the first day of November next, deliver to the receiver of public monies, for the lands of the United States at Cincinnati, a notice in writing, stating the nature and extent of his claim or contract; and if any person shall neglect to give such notice of his claim or contract, or having given the same, shall neglect to make application for the purchase thereof, as hereinafter directed, or shall fail in making the first payment before the first of January next, all his right of pre-emption, on the terms aforesaid, shall cease and become void.

Persons claiming the benefit of this act to give notice to the receiver of public monies at Cincinnati.

SEC. 3. *And be it further enacted,* That the aforesaid receiver of public monies, on being paid the fees hereinafter provided, shall receive every such notice of claim, or statement thereof, and give a receipt therefor, and carefully put and preserve on file every such paper or writing, and lay the same before the commissioners, when met, for settling and adjusting the claims aforesaid.

Duty of the receiver herein.

SEC. 4. *And be it further enacted,* That the aforesaid receiver of public monies, and two other persons, who shall be appointed by the President of the United States alone shall be commissioners for the purpose of ascertaining the rights of persons claiming the benefits of this act, who, previous to entering on the duties of their appointment, shall respectively take and subscribe the following oath or affirmation, before some person qualified to administer oaths, to wit: "I — do solemnly swear, or affirm, that I will impartially exercise and discharge the duties imposed on me, by an act of Congress, intituled 'An act giving a right of pre-emption to certain persons who have contracted with John Cleves Symmes, or his associates, for lands lying between the Miami rivers, in the territory of the United States northwest of the Ohio,' to the best of my understanding and ability;" and it shall be the duty of the said commissioners to meet at Cincinnati, between the first and the tenth day of November next, of which meeting three weeks previous notice shall be given by them in a public newspaper printed at

And also of the two commissioners to be appointed.

Cincinnati; and they, or a majority of them, so met, shall not adjourn to any other place, or for a longer time than three days, until they have finally completed the business of their said appointments; and they, or any two of them, shall have power to hear and decide, in a summary manner, all matters respecting all such claims of which notice may have been filed, pursuant to the third section of this act, also to administer oaths, and examine witnesses, and such other testimony as may be adduced, and to determine thereon according to justice and equity; which determination shall be final; and when it shall appear to them, that the claimant is entitled to the right of pre-emption, on the terms aforesaid, they shall give a certificate thereof, stating as accurately as may be, the quantity and local situation of the lands to which he may be entitled, directed to the register of the land office at Cincinnati, or when the said register may be a claimant, to the surveyor-general, copies of which certificates shall be by them recorded, in a book to be provided for that purpose, and deposited for safe-keeping with the register of the land office.

Duty of the
surveyor-general
and register
at Cincinnati.

SEC. 5. *And be it further enacted*, That the aforesaid register and surveyor-general, respectively, upon application of any person or persons, who shall produce a certificate of the commissioners aforesaid, to him directed, before the first day of January next, and shall also produce a receipt from the Treasurer of the United States, or the aforesaid receiver of public monies, for at least one-fourth part of the purchase money, and also for the payment of three dollars for each half-section or smaller quantity, and shall pay him the fees in like case provided by the act, intituled "An act to amend the act, intituled An act providing for the sale of the lands of the United States, in the territory of the United States northwest of the Ohio, and above the mouth of the Kentucky River," shall admit such person or persons to become a purchaser or purchasers of the land designated in the said certificate, and shall receive the said certificate and preserve it on file, and make an entry of the application in his book, kept for the purpose, and on any of the three last payments being made in advance, he shall allow the purchaser the like discount as is allowed by the fourth clause of the fifth section of the act last above recited; and on payment in full, and a final settlement had, he shall give his certificate thereof; upon producing which to the Secretary of the Treasury, a patent shall issue in like manner as is provided by the said act last above recited.

Fees allowed
to the receiver
and commissioners.

SEC. 6. *And be it further enacted*, That the said receiver of public monies shall be entitled to have and receive, to his own use, from the respective claimants, the following fees, that is to say: for filing a notice and evidence of claim, or statement thereof, twenty-five cents; for giving a copy thereof, twelve and a half cents for every one hundred words. And the said commissioners shall, as a full compensation for their services, be entitled, jointly, to have and receive from the respective claimants, that is to say: for every determination, and entering the result in their book, at the rate of three dollars for every section; for every certificate, and recording the same, at the rate of one dollar for every section.

Mode in which
the land shall be
surveyed.

SEC. 7. *And be it further enacted*, That all the aforesaid tract of country shall be surveyed by the surveyor-general, as soon as may be after the first day of September next, in the manner hereinafter directed.

1. So much of the said tract as lies between the northern boundary line, and the aforesaid patent of John Cleves Symmes, and associates, and Israel Ludlow's southern boundary of the seventh entire range of townships, shall be laid off into sections, agreeably to northwardly and southwardly lines, run under the direction of John Cleves Symmes; and the marks thereon made, at the time of running the aforesaid lines, for the corners of sections, shall be established by the surveyor-general, and eastwardly and westwardly lines shall be run to intersect the aforesaid northwardly and southwardly lines, in the corresponding marked points.

2. And the residue of the said tract lying north of the aforesaid southern boundary of the seventh entire range, shall be laid off into sections, according to such uniform rule and method, as, in the opinion of the surveyor-general, shall best secure the rights and interest of those who are entitled to pre-emption.

3. Such divisions shall be made of sections, according to the claim of such who obtain pre-emption right, and the contents of each and every section, and such division thereof, shall be ascertained, and the surveyor-

general shall prepare and transmit a plan thereof to the aforesaid register, immediately after the said survey shall be completed, and also forward a copy thereof to the Secretary of the Treasury.

SEC. 8. *And be it further enacted*, That all persons, availing themselves of a pre-emption under this act, shall make application for a section, or any part or parts of a section or sections, according to the estimated quantity of six hundred and forty acres to a section, and the amount of the excess or deficiency shall be added to or deducted from the last payment, and the purchaser shall make payment for and hold the quantity returned and expressed in the plats, let the quantity be more or less.

Applications to be made as for a section of 640 acres, &c.

SEC. 9. *And be it further enacted*, That the duties of the surveyor-general, of the aforesaid register and receiver of public monies, as nearly as may be consistent with this act, shall respectively be the same as directed in and by the last-recited act, and the fees and emoluments shall respectively be the same as provided in the said act last recited.

Duties and allowance of the surveyor-general, register, and receiver of public monies.

SEC. 10. *And be it further enacted*, That after completing the surveys, agreeably to this act, reserving the lots marked sixteen in each township, or fractional part of a township, in which the same may be, for the purposes expressed in the ordinance of Congress of the twentieth of May, one thousand seven hundred and eighty-five, the residue of the lands, and so many of the aforesaid pre-emptions as shall become forfeited by reason of failures of payment, shall be sold agreeably to the last-recited act.

Parts of the land to be sold in a different manner.

SEC. 11. *And be it further enacted*, That this act shall have full operation and effect, anything in any former law to the contrary notwithstanding. (a)

Repeal of former laws within the purview of this.

(a) See Nos. 4, 6, 16, 30, 31, 32, 36, 133, 170, 181.

NO. 26.—AN ACT for the relief of Isaac Zane.

April 3, 1802.
Vol. 6, p. 46.

Be it enacted, &c., That the President of the United States be, and he is hereby authorized and empowered to issue letters-patent, in the name, and under the seal of the United States, thereby granting and conveying to Isaac Zane, his heirs and assigns, in fee-simple, three sections of land, of one square mile each, within the Northwestern Territory, of any lands not heretofore granted or reserved, and to which the Indian title has been extinguished; in trust, nevertheless, in respect to two of the said sections, which shall be last mentioned and described in the said letters-patent, to, and for the use and benefit of the children of the said Isaac Zane, who shall be living at the time of his death, and of the heirs of any child or children, deceased, and their heirs, respectively, to hold as tenants in common.

Lands conveyed to Isaac Zane.

SEC. 2. *And be it further enacted*, That the said Isaac Zane, or his attorney in fact, shall, and they are hereby authorized and empowered to locate the said three sections in one or more tracts, not to exceed three locations of six hundred and forty acres each: *Provided*, The said land is not granted, appropriated, or reserved by any act or resolution of the United States, or of Virginia, at the time of location.

How to be located.

SEC. 3. *And be it further enacted*, That the surveyor-general of the United States, or one of his deputies, shall, without delay, reasonable notice thereof being first given, survey and lay off the same as the law directs: *Provided*, The same has not, at such time, been surveyed.

To be surveyed and laid off by the surveyor-general.

NO. 27.—AN ACT in addition to an act, intituled "An act, in addition to an act regulating the grants of land appropriated for military services, and for the Society of the United Brethren, for propagating the Gospel among the Heathen."

April 26, 1802.
Vol. 2, p. 155.

Be it enacted, &c., That from and after the passing of this act, and until the first day of January next, it shall be lawful for the holders or proprietors of warrants heretofore granted in consideration of military services, or register's certificates of fifty acres, or more, granted, or hereafter to be granted agreeable to the third section of an act intituled "An act in addition to an act, intituled An act regulating the grants of land appropriated for military services; and for the Society of the United Brethren for propagating the Gospel among the Heathen," approved the first day of March one thousand eight hundred, to register and locate the same, in the same manner, and under the same restric-

How the holders of certain warrants for military services, or register's certificates, may register or locate the same.

Provision with respect to certain register's certificates. *tions, as might have been done before the first day of January last: Provided, That persons holding register's certificates for a less quantity than one hundred acres, may locate the same on such parts of fractional townships, as shall, for that purpose, be divided by the Secretary of the Treasury into lots of fifty acres each. (a)*

Secretary of War to receive claims to lands, and for duplicates of warrants, suggested to have been lost. *SEC. 2. And be it further enacted, That it shall be the duty of the Secretary of War to receive claims to lands for military services, and claims for duplicates of warrants issued from his office, or from the land office of Virginia, or of plats and certificates of surveys founded on such warrants, suggested to have been lost or destroyed, until the first day of January next, and no longer; and immediately thereafter, to report the same to Congress, designating the numbers of claims of each description, with his opinion thereon. (b)*

(a) See Nos. 12, 15, 17, 18, 27, 32, 34, 38, 42, 49, 50, 60, 71, 128, 130, 131, 135, 139.

(b) See Nos. 1, 8, 22, 32, 35, 45, 46, 51, 58, 64, 66, 82, 93, 98, 112, 119, 121, 128, 146, 154, 159, 166, 172, 174, 177, 180, 183, 184, 187, 190.

April 30, 1802.
Vol. 2, p. 173.

The inhabitants of the eastern division of the territory west of the Ohio to form a constitution and become a State.
Boundaries thereof.

Territory east thereof at the disposal of Congress.

What part of territory attached to Indiana.

Propositions offered to the convention.

No. 28.—AN ACT to enable the people of the eastern division of the territory northwest of the river Ohio to form a constitution and State government, and for the admission of such State into the Union, on an equal footing with the original States, and for other purposes.

Be it enacted, &c., That the inhabitants of the eastern division of the territory northwest of the river Ohio, be, and they are hereby authorized to form for themselves a constitution and State government, and to assume such name as they shall deem proper, and the said State, when formed, shall be admitted into the Union, upon the same footing with the original States, in all respects whatever.

*SEC. 2. And be it further enacted, That the said State shall consist of all the territory included within the following boundaries, to wit: Bounded on the east by the Pennsylvania line, on the south by the Ohio River, to the mouth of the Great Miami River, on the west by the line drawn due north from the mouth of the Great Miami, aforesaid, and on the north by an east and west line, drawn through the southerly extreme of Lake Michigan, running east after intersecting the due north line aforesaid, from the mouth of the Great Miami, until it shall intersect Lake Erie, or the territorial line, and thence with the same through Lake Erie to the Pennsylvania line, aforesaid: *Provided, That Congress shall be at liberty at any time hereafter, either to attach all the territory lying east of the line to be drawn due north from the mouth of the Miami, aforesaid, to the territorial line, and north of an east and west line drawn through the southerly extreme of Lake Michigan, running east as aforesaid to Lake Erie, to the aforesaid State, or dispose of it otherwise, in conformity to the fifth article of compact between the original States, and the people and States to be formed in the territory northwest of the river Ohio.**

SEC. 3. And be it further enacted, That all that part of the territory of the United States, northwest of the river Ohio, heretofore included in the eastern division of said territory, and not included within the boundary herein prescribed for the said State, is hereby attached to, and made a part of the Indiana Territory, from and after the formation of the said State, subject nevertheless to be hereafter disposed of by Congress, according to the right reserved in the fifth article of the ordinance aforesaid, and the inhabitants therein shall be entitled to the same privileges and immunities, and subject to the same rules and regulations, in all respects whatever, with all other citizens residing within the Indiana territory. (a)

SEC. 7. And be it further enacted, That the following propositions be, and the same are hereby offered to the convention of the eastern State of the said territory, when formed, for their free acceptance or rejection, which, if accepted by the convention, shall be obligatory upon the United States.

First, That the section, number sixteen, in every township, and where such section has been sold, granted or disposed of, other lands equivalent thereto, and most contiguous to the same, shall be granted to the inhabitants of such township, for the use of schools. (b)

Second, That the six miles reservation, including the salt springs, commonly called the Scioto salt springs, the salt springs near the Muskingum River, and in the military tract, with the sections of land which include the same, shall be granted to the said State for the use of the

people thereof, the same to be used under such terms and conditions and regulations as the legislature of the said State shall direct: *Provided*, The said legislature shall never sell nor lease the same for a longer period than ten years. (c)

Third, That one-twentieth part of the nett proceeds of the lands lying within the said State sold by Congress, from and after the thirtieth day of June next, after deducting all expenses incident to the same, shall be applied to the laying out and making public roads, leading from the navigable waters emptying into the Atlantic, to the Ohio, to the said State, and through the same, such roads to be laid out under the authority of Congress, with the consent of the several States through which the road shall pass: (d) *Provided always*, That the three foregoing propositions herein offered, are on the conditions that the convention of the said State shall provide, by an ordinance irrevocable, without the consent of the United States, that every and each tract of land sold by Congress, from and after the thirtieth day of June next, shall be and remain exempt from any tax laid by order or under authority of the State, whether for State, county, township or any other purpose whatever, for the term of five years from and after the day of sale. (e)

(a) See Nos. 57, 141, 142.

(b) See Nos. 31, 45, 47, 76, 79, 85, 102, 109, 110, 136, 144, 150, 156, 158, 167, 168, 179.

(c) See Nos. 11, 73, 76, 79, 105.

(d) See No. 31.

(e) See No. 169.

No. 29.—AN ACT to empower John James Dufour, and his associates, to purchase certain lands.

May 1, 1802.
Vol. 6, p. 47.

Be it enacted, &c., That to encourage the introduction, and to promote the culture of the vine within the territory of the United States, northwest of the river Ohio, it shall be lawful for John James Dufour, and his associates, to purchase any quantity not exceeding four sections of the lands of the United States, lying between the Great Miami River and the Indian boundary line, at the rate of two dollars per acre, payable without interest, on or before the first day of January, one thousand eight hundred and fourteen.

Terms upon which John J. Dufour and his associates may purchase certain lands.

SEC. 2. *And be it further enacted*, That it shall be the duty of the register of the land office, established at Cincinnati, to receive and to enter on his entry-book, the applications of the said Dufour, and his associates, for any unappropriated sections with the adjoining fractions, if any, not to exceed in the whole four sections, and lying within the district aforesaid; stating in each entry the date of the application and the number of the section or fraction, township and range applied for; and it shall also be the duty of the said register to deliver to the said Dufour and his associates, a copy of each entry thus made; also a copy of the description or field-notes, and of the plat of each tract, with a certificate stating that the same has been purchased under the authority of this act, at the rate of two dollars per acre, payable without interest, on or before the first day of January, one thousand eight hundred and fourteen.

Duty of the register, &c., upon the application of Dufour and his associates.

SEC. 3. *And be it further enacted*, That payment for said land may be made at the Treasury of the United States, or to the receiver of the land office at Cincinnati, either in specie, or in the evidences of the public debt of the United States, at the rates prescribed by an act entitled "An act to authorize the receipt of evidences of the public debt in payment for the lands of the United States," and a discount at the rate of six per cent. a year shall be allowed on any payments, which shall be made before the same shall become due.

Payment, where to be made.

SEC. 4. *And be it further enacted*, That on producing to the Secretary of the Treasury copies of the entries aforesaid, and of the plats of the tracts applied for, also the certificate of the register of the land office established at Cincinnati, that the same have been purchased in conformity to the provisions of this act, the President of the United States shall be, and he hereby is authorized and empowered to issue letters-patent in the usual form, unto the said Dufour, his associates, and their heirs, for the said lands; with condition expressed in the said letters-patent, that on failure to pay the purchase money when the same shall become due the lands therein described, with the improvements thereon, shall be deemed forfeited, and shall revert in the United States. (a)

Patents to be issued, on certain evidence being produced.

(a) See No. 61.

May 1, 1802.
Vol. 2, p. 179.

No. 30.—AN ACT to extend and continue in force the provisions of an act intituled "An act giving a right of pre-emption to certain persons who have contracted with John Cleves Symmes or his associates, for lands lying between the Miami rivers, in the territory northwest of the Ohio, and for other purposes."

Provisions of a former act, under certain modifications, continued in force.

Be it enacted, &c., That the several provisions of an act intituled "An act giving a right of pre-emption to certain persons who have contracted with John Cleves Symmes, or his associates, for lands lying between the Miami rivers in the territory northwest of the Ohio," shall be, and the same are hereby continued in force until the first day of March next, subject to the modifications contained in this act.

Provisions of that act extended to persons claiming lands between the Miami rivers in certain cases.

SEC. 2. *And be it further enacted,* That the provisions of the said act shall, and the same are hereby extended to all persons claiming lands lying between the Miami rivers, and without the limits of Ludlow's survey, by purchase or contract made prior to the first day of January, one thousand eight hundred, with John Cleves Symmes or his associates.

Persons claiming lands, who have not obtained certificates of the right of pre-emption.

SEC. 3. *And be it further enacted,* That every person claiming lands as aforesaid, either within or without the limits of Ludlow's survey, and who have not obtained a certificate of the right of pre-emption therefor, shall, on or before the first day of November next, give notice of the nature and extent of his claim, in manner prescribed by the second section of the said act. And the receiver of public monies, and commis-

How such claims are to be settled.

sioners appointed under the fourth section of the said act, shall meet at Cincinnati, on the second Monday of November next, they having given four weeks previous notice of such meeting in a public newspaper printed at Cincinnati, and shall then and there proceed to hear and finally decide upon all claims, of which notice may have been given as aforesaid, and shall, in all matters relative thereto, govern themselves by the provisions of the said act. Vacancies in the said board of com-

Vacancies in the board of commissioners for that purpose to be filled by the President.

missioners may be filled by the President of the United States alone. And the duties, powers and emoluments of the said commissioners, receiver of public monies, and register of the land office at Cincinnati, and surveyor-general, as prescribed by the said act, shall, and the same are hereby continued. (a)

Duties, emoluments, &c., to the members composing it, and the surveyor-general continued.

Persons possessing certificates of the right of pre-emption, allowed time for payment.

SEC. 4. *And be it further enacted,* That every person who may have obtained, or who shall hereafter obtain, as aforesaid, a certificate of a right of pre-emption from the said commissioners shall be allowed until the first day of January next, to make the first payment required for the lands described in such certificate, and shall, in all other respects relative thereto, conform to the several provisions of the said act.

Secretary of the Treasury may cause to be opened such roads within the territory northwest of the Ohio as shall promote the sale of public lands.

SEC. 5. *And be it further enacted,* That it shall and may be lawful for the Secretary of the Treasury to cause to be viewed, marked, and opened, such roads within the territory northwest of the Ohio, as in his opinion will best serve to promote the sales of the public lands in future: *Provided,* That the whole sum to be expended on such roads shall not exceed six thousand dollars, and that the same shall be paid out of the monies paid by purchasers of public lands on account of surveying expenses.

* * * * *

In cases where a section or fractional section within the seven ranges of townships has been sold.

SEC. 7. *And be it further enacted,* That in all cases where any section or fractional section of land lying within the seven ranges of townships has been sold prior to the tenth day of May, one thousand eight hundred, under the authority of the United States, the lines of such section or fractional section shall be run under the direction of the Secretary of the Treasury, in the manner most consistent with the supposed boundaries of the same, at the time of the sale, anything in the act of the tenth of May, one thousand eight hundred, to the contrary notwithstanding. And it shall be lawful for the Secretary of the Treasury, whenever lines thus run shall interfere with the claim of a purchaser of public lands under the last-mentioned act, to permit such purchaser, if he shall desire it, at any time within six months, after such lines, thus interfering with his claim, shall have been run, to withdraw his former application, and to apply in lieu thereof for any other vacant section.

How to be laid off.

(a) See Nos. 4, 6, 16, 25, 31, 32, 36, 133, 170, 181.

No. 31.—AN ACT in addition to, and in modification of, the propositions contained in the act intituled "An act to enable the people of the eastern division of the territory northwest of the river Ohio, to form a constitution and State government, and for the admission of such State into the Union, on an equal footing with the original States, and for other purposes."

March 3, 1803.
Vol. 2, p. 225.

Be it enacted, &c., That the following several tracts of land in the State of Ohio, be, and the same are hereby appropriated for the use of schools in that State, and shall, together with all the tracts of land heretofore appropriated for that purpose, be vested in the legislature of that State, in trust for the use aforesaid, and for no other use, intent or purpose whatever, that is to say:

First—The following quarter townships in that tract commonly called the "United States military tract," for the use of schools within the same, viz. the first quarter of the third township in the first range, the first quarter of the first township in the fourth range, the fourth quarter of the first township and the third quarter of the fifth township in the fifth range, the second quarter of the third township in the sixth range, the fourth quarter of the second township in the seventh range, the third quarter of the third township in the eighth range, the first quarter of the first township and the first quarter of the third township in the ninth range, the third of the first township in the tenth range, the first and fourth quarters of the third township in the eleventh range, the fourth quarter of the fourth township in the twelfth range, the second and third quarters of the fourth township in the fifteenth range, the third quarter of the seventh township in the sixteenth range, and the first quarter of the sixth township and third quarter of the seventh township in the eighteenth range, being the one thirty-sixth part of the estimated whole amount of lands within that tract.

Tracts of land appropriated for the use of schools.

Secondly—The following quarter townships in the same tract for the use of schools in that tract commonly called the Connecticut reserve, viz. the third quarter of the ninth township and the fourth quarter of the tenth township in the first range, the first and second quarters of the ninth township in the second range, the second and third quarters of the ninth township in the third range, the first quarter of the ninth township and the fourth quarter of the tenth township in the fourth range, the first quarter of the ninth township in the fifth range, the first and fourth quarters of the ninth township in the sixth range, the first and third quarters of the ninth township in the seventh range, and the fourth quarter of the ninth township in the eighth range.

Quarter townships in the Connecticut reserve for the use of schools.

Thirdly—So much of that tract, commonly called the "Virginia military reservation," as will amount to one thirty-sixth part of the whole tract, for the use of schools within the same, and to be selected by the legislature of the State of Ohio, out of the unlocated lands in that tract after the warrants issued from the State of Virginia shall have been satisfied; it being however understood, that the donation is not to exceed the whole amount of the above-mentioned residue of such unlocated lands, even if it shall fall short of one thirty-sixth part of the said tract.

Part of the Virginia reservation for the use of schools.

Fourthly—One thirty-sixth part of all the lands of the United States lying in the State of Ohio, to which the Indian title has not been extinguished, which may hereafter be purchased of the Indian tribes by the United States, which thirty-sixth part shall consist of the section No. sixteen, in each township, if the said lands shall be surveyed in townships of six miles square, and shall, if the lands be surveyed in a different manner, be designated by lots. (a)

Number sixteen in every township in all lands in the State of Ohio, reserved for the use of schools.

SEC. 2. *And be it further enacted*, That the Secretary of the Treasury shall, from time to time, and whenever the quarterly accounts of the receivers of public monies of the several land offices shall be settled, pay three per cent. of the nett proceeds of the lands of the United States, lying within the State of Ohio, which since the thirtieth day of June last have been, or hereafter may be sold by the United States, after deducting all expenses incidental to the same, to such person or persons as may be authorized by the legislature of the said State to receive the same, which sums thus paid, shall be applied to the laying out, opening and making roads within the said State, and to no other purpose whatever; and an annual account of the application of the same shall be transmitted to the Secretary of the Treasury, by such officer of the State as the legislature thereof shall direct: and it is hereby declared, that the payments thus to be made, as well as the several appropriations for schools made by the preceding section, are in conformity with, and in consideration of the conditions agreed on by the

Appropriation for public roads in the State of Ohio from the receipts from public lands.

Annual account to be transmitted to the Treasury.

Conditions.

State of Ohio, by the ordinance of the convention of the said State, bearing date the twenty-ninth day of November last. (b)

Sections for schools in lieu of others to be selected by the Secretary of the Treasury.

SEC. 3. *And be it further enacted*, That the sections of land heretofore promised for the use of schools, in lieu of such of the sections, No. 16, as have been otherwise disposed of, shall be selected by the Secretary of the Treasury, out of the unappropriated reserved sections in the most contiguous townships.

Appropriation for establishing an academy, to be located by the legislature of Ohio.

SEC. 4. *And be it further enacted*, That one complete township in the State of Ohio, and district of Cincinnati, or so much of any one complete township within the same, as may then remain unsold, together with as many adjoining sections as shall have been sold in the said township, so as to make in the whole thirty-six sections, to be located under the direction of the legislature of the said State, on or before the first day of October next, with the register of the land office of Cincinnati, be, and the same is hereby vested in the legislature of the State of Ohio, for the purpose of establishing an academy, in lieu of the township already granted for the same purpose, by virtue of the act intituled "An act authorizing the grant and conveyance of certain lands to John Cleves Symmes, and his associates: *Provided, however*, That the same shall revert to the United States, if, within five years after the passing of this act, a township shall have been secured for the said purpose, within the boundary of the patent granted by virtue of the above-mentioned act, to John Cleves Symmes, and his associates. (c)

Further provision for an academy.

SEC. 5. *And be it further enacted*, That the attorney-general for the time being, be directed and authorized to locate and accept from the said John Cleves Symmes, and his associates, any one complete township within the boundaries of the said patent, so as to secure the same for the purpose of establishing an academy, in conformity to the provisions of the said patent, and in case of non-compliance, to take, or direct to be taken, such measures as will compel an execution of the trust: *Provided, however*, That John Cleves Symmes and his associates shall be released from the said trust, and the said township shall vest in them, or any of them, in fee-simple, upon payment into the Treasury of the United States, of fifteen thousand three hundred and sixty dollars, with interest from the date of the above-mentioned patent, to the day of such payment. (d)

(a) See Nos. 23, 45, 47, 76, 79, 83, 102, 109, 110, 136, 144, 150, 156, 158, 167, 168, 179.

(b) See No. 28.

(c) See No. 6.

(d) See Nos. 4, 6, 16, 25, 30, 36, 133, 170, 181.

March 3, 1803.
Vol. 2, p. 236.

NO. 32.—AN ACT to revive and continue in force, an act in addition to an act intituled "An act in addition to an act regulating the grants of land appropriated for military services and for the Society of the United Brethren for propagating the Gospel among the Heathen," and for other purposes.

Revived and continued in force four weeks.

Be it enacted, &c., That the first section of an act in addition to an act intituled "An act in addition to an act regulating the grants of land appropriated for military services, and for the Society of the United Brethren for propagating the Gospel among the Heathen," approved the twenty-sixth of April, eighteen hundred and two, be, and the same is hereby revived and continued in force until the first day of April next.

Secretary of War to issue land warrants; when and to whom.

SEC. 2. *And be it further enacted*, That the Secretary of War be, and he hereby is authorized, from and after the first day of April next, to issue warrants for military bounty-lands to the two hundred and fifty-four persons who have exhibited their claims, and produced satisfactory evidence to substantiate the same to the Secretary of War, in pursuance of the act of the twenty-sixth of April, eighteen hundred and two, intituled "An act in addition to an act, intituled An act in addition to an act regulating the grants of land appropriated for military services, and for the Society of the United Brethren for propagating the Gospel among the Heathen."

Where to be located.

SEC. 3. *And be it further enacted*, That the holders or proprietors of the land warrants issued by virtue of the preceding section, shall and may locate their respective warrants only, on any unlocated parts of the fifty quarter townships and the fractional quarter townships which had been reserved for original holders, by virtue of the fifth section of an act intituled "An act in addition to an act intituled An act regulating the grants of land appropriated for military services, and for the Society of the United Brethren for propagating the Gospel among the Heathen. (a)

SEC. 4. *And be it further enacted*, That the Secretary of War be, and he is hereby authorized to issue land warrants to Major General La Fayette, for eleven thousand five hundred twenty acres, which shall, at his option, be located, surveyed and patented in conformity with the provisions of an act intituled "An act regulating the grants of land appropriated for military services, and for the Society of the United Brethren for propagating the Gospel among the Heathen," or which may be received acre for acre, in payment for any of the lands of the United States north of the river Ohio, and above the mouth of Kentucky River.

Land warrants to General La Fayette.

SEC. 5. *And be it further enacted*, That all the unappropriated lands within the military tract, shall be surveyed into half-sections, in the manner directed by the act intituled "An act to amend the act intituled An act providing for the sale of the lands of the United States in the territory northwest of the Ohio, and above the mouth of Kentucky River;" (b) and that so much of the said lands as lie west of the eleventh range within the said tract, shall be attached to, and made a part of the district of Chillicothe, and be offered for sale at that place, under the same regulations that other lands are within the said district.

Unappropriated lands within the military tract; how to be surveyed.

Part to be attached to the district of Chillicothe; and for sale.

SEC. 6. *And be it further enacted*, That the lands within the said eleventh range, and east of it, within the said military tract, and all the lands north of the Ohio Company's purchase, west of the seven first ranges, and east of the district of Chillicothe, shall be offered for sale at Zanesville, under the direction of a register of the land office and receiver of public monies to be appointed for that purpose, who shall reside at that place, and shall perform the same duties and be allowed the same emoluments as are prescribed for and allowed to registers and receivers of the land offices by law. (c)

Certain tracts for sale.

Where to be offered.

Register and receiver appointed.

Duties and compensation.

SEC. 7. *And be it further enacted*, That all persons who have obtained certificates for the right of pre-emption to lands by virtue of two acts, the one intituled "An act giving a right of pre-emption to certain persons who have contracted with John Cleves Symmes, or his associates for lands lying between the Miami rivers, in the territory of the United States northwest of the Ohio," and the other "An act to extend and continue the provisions of the said act, passed on the first day of May, eighteen hundred and two," and who have not made the first payment therefor, before the first day of January last, shall be allowed until the tenth day of April next to complete the same; and that all persons who have become purchasers of land by virtue of the aforesaid acts, be, and they are hereby allowed until the first day of January, eighteen hundred and five, to make the second instalment; until the first day of January, eighteen hundred and six, to make their third instalment; and until the first day of January, eighteen hundred and seven, to make their fourth and last instalment; any thing in the acts aforesaid, to the contrary notwithstanding. (d)

Possessors of rights of pre-emption under John Cleves Symmes and others allowed further time of payment.

SEC. 8. *And be it further enacted*, That where any warrants granted by the State of Virginia, for military services, have been surveyed on the northwest side of the river Ohio, between the Sciota and the Little Miami rivers, and the said warrants, or the plats and certificates of survey made thereon, have been lost or destroyed, the persons entitled to the said land may obtain a patent therefor, by producing a certified duplicate of the warrant from the land office of Virginia, or of the plat and certificate of survey from the office of the surveyor in which the same is recorded, and giving satisfactory proof to the Secretary of War, by his affidavit or otherwise, of the loss or destruction of said warrant, or plat and certificate of survey. (e)

Land patents how to be obtained when the military warrants are lost or destroyed.

(a) See Nos. 12, 15, 17, 18, 27, 34, 38, 42, 49, 50, 60, 71, 128, 130, 131, 135, 139.

(b) See Nos. 11, 12, 13, 21, 23, 25, 36, 37, 42, 65, 76, 79, 81, 102, 119, 158.

(c) See Nos. 11, 16, 21, 25, 29, 30, 36, 39, 41, 43, 44, 47, 48, 52, 56, 59, 65, 76, 79, 80, 81, 83, 84, 85, 87, 98, 99, 102, 108, 111, 113, 128, 130, 132, 133, 145, 155, 158, 175, 185.

(d) See Nos. 4, 6, 16, 25, 30, 31, 36, 133, 170, 181.

(e) See Nos. 1, 8, 22, 27, 35, 45, 46, 51, 58, 64, 66, 82, 93, 98, 112, 119, 121, 128, 146, 154, 159, 166, 172, 174, 177, 180, 183, 184, 187, 190.

NO. 33.—AN ACT in addition to the act intituled "An act regulating the grants of land appropriated for the refugees from the British provinces of Canada and Nova Scotia."

March 3, 1803.
Vol. 2, p. 242.

Be it enacted, &c., That Samuel Rogers, one of the claimants under the act intituled "An act for the relief of the refugees from the British provinces of Canada and Nova Scotia," shall be entitled to two thousand two hundred and forty acres of land, to be located in the manner

Samuel Rogers may locate 2,240 acres of land.

and within the boundaries of the tract designated by the act to which this act is a supplement, and shall receive a patent for the same in the manner directed by the said last-mentioned act. (a)

(a) See Nos. 23, 33a, 50a, 55, 80.

March 16, 1804.
Vol. 2, p. 270.

Former act re-
vived and contin-
ued in force.

No. 33a.—AN ACT to revive and continue in force, an act intituled "An act for the relief of the refugees from the British provinces of Canada and Nova Scotia."

Be it enacted, &c., That the act, intituled "An act for the relief of the refugees from the British provinces of Canada and Nova Scotia," approved on the seventh of April, one thousand seven hundred and ninety-eight, shall be, and the same is hereby revived and continued in force for the term of two years from the passage of this act, and no longer. (a)

(a) See Nos. 23, 33, 50a, 55, 80.

March 19, 1804.
Vol. 2, p. 271.

Former act re-
vived and contin-
ued in force till
April 1, 1805.

Limitation as
to the location of
warrants.

Proviso.

The Secretary
of War to endorse
the warrant or
certificate that
no warrant has
been issued for
the same in vir-
tue of the act of
March 3, 1803.

No. 34.—AN ACT granting further time for locating military land-warrants, and for other purposes.

Be it enacted, &c., That the act intituled "An act in addition to an act intituled An act in addition to an act regulating the grants of land appropriated for military services, and for the Society of the United Brethren for propagating the Gospel among the Heathen," approved the twenty-sixth day of April, eighteen hundred and two, be, and the same is hereby revived and continued in force, until the first day of April, one thousand eight hundred and five: *Provided, however,* That the holders or proprietors of warrants or registered certificates, shall and may locate the same, only on any unlocated parts of the fifty quarter townships, and the fractional quarter townships, which had been reserved for original holders, by virtue of the fifth section of an act, intituled "An act in addition to an act, intituled An act regulating the grants of land appropriated for military services, and for the Society of the United Brethren for propagating the Gospel among the Heathen:" *And provided also,* That no holder or proprietor of warrants or registered certificates, shall be permitted to locate the same by virtue of this act, unless the Secretary of War shall have made an endorsement on such warrant or registered certificate, certifying that no warrant has been issued for the same claim to military bounty-land, and by virtue of the second section of the act, intituled "An act to revive and continue in force an act in addition to an act intituled An act in addition to an act regulating the grants of land appropriated for military services, and for the Society of the United Brethren for propagating the Gospel among the Heathen, and for other purposes," approved the third day of March, eighteen hundred and three. (a)

(a) See Nos. 12, 15, 17, 18, 27, 32, 34, 38, 42, 49, 50, 60, 71, 128, 130, 131, 135, 139.

March 23, 1804.
Vol. 2, p. 274.

Boundary line
now under the
direction of the
surveyor-gen-
eral established.

Proviso, that
within two years
the state of Vir-
ginia recognize
the line.

Officers and
soldiers to com-
plete their loca-
tions in three
years within the
reserved terri-
tory.

No. 35.—AN ACT to ascertain the boundary of the lands reserved by the State of Virginia, northwest of the river Ohio, for the satisfaction of her officers and soldiers on continental establishment, and to limit the period for locating the said lands.

Be it enacted, &c., That the line run under the direction of the surveyor-general of the United States, from the source of the Little Miami, towards the source of the Scioto, and which binds on the east, the surveys of the lands of the United States, shall, together with its course continued to the Scioto River, be considered and held as the westerly boundary line, north of the source of the Little Miami, of the territory reserved by the State of Virginia, between the Little Miami and Scioto rivers, for the use of the officers and soldiers of the continental line of that State: *Provided,* That the State of Virginia shall, within two years after the passing of this act, recognize such line as the boundary of the said territory.

SEC. 2. *And be it further enacted,* That all the officers and soldiers, or their legal representatives who are entitled to bounty lands within the above-mentioned reserved territory, shall complete their locations within three years after the passing of this act, and every such officer and soldier, or his legal representative, whose bounty land has or shall have been located within that part of the said territory, to which the Indian

title has been extinguished, shall make return of his or their surveys to the Secretary of the Department of War, within five years after the passing of this act, and shall also exhibit and file with the said Secretary, and within the same time, the original warrant or warrants under which he claims, or a certified copy thereof, under the seal of the office where the said warrants are legally kept; which warrant, or certified copy thereof, shall be sufficient evidence that the grantee therein named, or the person under whom such grantee claims, was originally entitled to such bounty land: and every person entitled to said lands and thus applying, shall thereupon be entitled to receive a patent in the manner prescribed by law.

SEC. 3. *And be it further enacted*, That such part of the above-mentioned reserved territory as shall not have been located, and those tracts of land, within that part of the said territory to which the Indian title has been extinguished, the surveys whereof shall not have been returned to the Secretary of War, within the time and times prescribed by this act, shall thenceforth be released from any claim or claims for such bounty lands, and shall be disposed of in conformity with the provisions of the act, intituled "An act in addition to, and modification of, the propositions contained in the act, intituled An act to enable the people of the eastern division of the territory, northwest of the river Ohio, to form a constitution and State government, and for the admission of such State into the Union, on an equal footing with the original States, and for other purposes." (a)

(a) See Nos. 1, 8, 22, 27, 32, 43, 46, 51, 58, 64, 66, 82, 93, 98, 112, 119, 121, 128, 146, 154, 159, 166, 172, 174, 177, 180, 183, 184, 187, 190.

Officers and soldiers whose bounty land shall have been located on that part of the territory to which the Indian title has been extinguished to make returns, &c., to the Secretary of War in five years.

Papers returned to be evidence entitling the claimants to patents.

Unlocated portion of the reserved territory in five years to be released from claims and disposed of, &c.

No. 36.—AN ACT making provision for the disposal of the public lands in the Indiana Territory, and for other purposes.

March 26, 1804.
Vol. 2, p. 277.

SEC. 7. *And be it further enacted*, That the several provisions made in favour of persons who have contracted for lands with John Cleves Symmes and his associates, by an act intituled "An act to extend and continue in force the provisions of an act intituled An act giving a right of pre-emption to certain persons, who have contracted with John Cleves Symmes or his associates, for lands lying between the Miami rivers in the territory northwest of the Ohio, and for other purposes," shall be and the same are hereby continued in force until the first day of June next: *Provided*, That the register of the land office and receiver of public monies at Cincinnati shall perform the same duties, exercise the same powers, and enjoy the same emoluments, which by the last-recited act were enjoined on or vested in the commissioners designated by the said act: *And provided also*, That no certificate for a right of pre-emption shall be granted, except in favour of persons who had, before the first day of January, one thousand eight hundred, made contracts in writing with John Cleves Symmes or with any of his associates, and who had made to him or them any payment or payments of money for the purchase of such lands; nor unless at least one-twentieth part of the purchase money of the land claimed, shall have previously been paid to the receiver of public monies, or shall be paid prior to the first day of January next. And every person who shall obtain a certificate of pre-emption, shall be allowed until the first day of January, one thousand eight hundred and six, to complete the payment of his first instalment: *And provided also*, That where any person or persons shall, in virtue of a contract entered into with John Cleves Symmes, have entered and made improvements on any section or half-section prior to the first day of April last (having conformed with all the foregoing provisions in this section), which improvements by the running of the lines subsequently thereto shall have fallen within any section, or half-section other than the one purchased as aforesaid, and other than section number sixteen, such section or half-section shall in that case be granted to the person or persons who shall have so entered, improved and cultivated the same, on payment of the purchase money agreeably to the provisions made by law for lands sold at private sale; but nothing herein contained shall be construed to give to any such person or persons a greater number of acres than he or they had contracted for, with John Cleves Symmes as aforesaid.

Provisions in favour of purchasers under J. C. Symmes continued in force till June next.

The register and receiver of the land office at Cincinnati.

No right of pre-emption to be granted except in favor of persons who had contracted with John Cleves Symmes, &c. after January 1 1800.

Persons who hold such certificates allowed until 1806, to complete the payment of the first instalment.

Proviso in favour of persons who have made improvements.

Persons having certificates of rights of pre-emption under contracts with or purchases from John Cleves Symmes allowed further time for paying.

Fractional sections may be sold, united or singly.

No fractional sections to be sold at private sale until after offer at public sale.

Public lands of the United States may be sold in whole, half or quarter sections.

All subdivisions to be at the expense of purchasers.

Interest not payable for purchases of public land, if the principal be punctually paid.

Certain sections of lands and fractional sections and other public land north of the Ohio and above the mouth of Kentucky River, to be offered for sale.

Under whose direction.

Times and places of sale.

How long the sales to remain open.

Terms of sales.

Other public lands north of the Ohio, or south of the State of Tennessee to be offered to the highest bidder, in quarter-sections.

SEC. 8. *And be it further enacted*, That every person who may have heretofore obtained from the commissioners, a certificate of a right of pre-emption for lands lying between the two Miami rivers, on account of contracts with, or purchase from John Cleves Symmes or his associates, and who has paid his first instalment; and every person, who may obtain a similar certificate by virtue of the preceding section, and shall, on or before the first day of January, one thousand eight hundred and six, pay his first instalment, be permitted to pay the residue of the purchase money in six annual equal payments. (a)

SEC. 9. *And be it further enacted*, That fractional sections of the public lands of the United States, either north of the river Ohio, or south of the State of Tennessee, shall, under the directions of the Secretary of the Treasury, be either sold singly, or by uniting two or more together; any act to the contrary, notwithstanding: *Provided*, That no fractional sections shall be sold in that manner until after they shall have been offered for sale to the highest bidder, in the manner hereinafter directed.

SEC. 10. *And be it further enacted*, That all the public lands of the United States, the sale of which is authorized by law, may, after they shall have been offered for sale to the highest bidder in quarter-sections, as hereinafter directed, be purchased at the option of the purchaser, either in entire sections, in half-sections, or in quarter-sections; in which two last cases the sections shall be divided into half-sections by lines running due north and south, and the half-sections shall be divided into quarter-sections by lines running due east and west. And in every instance in which a subdivision of the lands of the United States, as surveyed in conformity with law, shall be necessary to ascertain the boundaries or true contents of the tract purchased, the same shall be done at the expense of the purchaser.

SEC. 11. *And be it further enacted*, That no interest shall be charged on any instalment which may hereafter become due, in payment for any of the public lands of the United States, wherever situated, and which have been sold in pursuance of the act, intituled "An act to amend the act intituled An act providing for the sale of the lands of the United States, in the territory northwest of the Ohio, and above the mouth of Kentucky River," or which may hereafter be sold by virtue of that, or of any other act of Congress: *Provided*, That such instalments shall be paid on the day on which the same shall become due; but the interest shall be charged and demanded in conformity with the provisions heretofore in force, from the date of the purchase on each instalment which shall not be paid on the day on which the same shall become due: *Provided however*, That on the instalments which are or may become due before the first day of October next, interest shall not be charged, except from the time they became due until paid, but in failure to pay the said instalments on the said first day of October, interest shall be charged thereon, in conformity with the provisions heretofore in force, from the date of the purchase.

SEC. 12. *And be it further enacted*, That the sections which have been heretofore reserved, and are by this act directed to be sold, also, the fractional sections, classed as is by the ninth section of this act directed, and all the other lands of the United States, north of the Ohio, and above the mouth of Kentucky River, shall be offered for sale in quarter-sections, to the highest bidder, under the directions of the register of the land office, and of the receiver of public monies, at the places, respectively, where the land offices are kept, that is to say; the lands in the districts of Chillicothe, on the first Monday of May; the lands in the district of Marietta, on the second Monday of May; the lands in the district of Zanesville, on the third Monday of May; the lands in the district of Steubenville, on the second Monday of June; and the lands in the district of Cincinnati, on the first Monday of September. The sales shall remain open at each place no longer than three weeks; the lands which may be thus sold, shall not be sold for less than two dollars per acre, and shall, in every other respect be sold on the same terms and conditions, as is provided for the sale of lands sold at private sale. And all the other public lands of the United States, either north of the Ohio, or south of the State of Tennessee, which are directed to be sold at public sale, shall be offered for sale to the highest bidder, in quarter-sections: (b) *Provided however*, That section number twenty-six of the third township of the second fractional range, within the grant made by the United States to John Cleves Symmes, on which is erected

a mill-dam, is hereby granted to Joseph Vanhorne, the proprietor of the said dam; and also, that section number twenty-nine of the second township of the fourth entire range, be granted to James Sutton; and also, that section number twenty-one of the ninth township of the twenty-first range, be granted to Christian Van Gundy, on their payment of the purchase money, agreeably to the provisions made by law, for lands sold at private sale.

SEC. 13. *And be it further enacted*, That whenever any of the public lands shall have been surveyed in the manner directed by law, they shall be divided by the Secretary of the Treasury into convenient surveying districts, and a deputy surveyor shall, with the approbation of the said Secretary, be appointed by the surveyor-general for each district, who shall take an oath or affirmation truly and faithfully to perform the duties of his office; and whose duty it shall be to run and mark such lines as may be necessary for subdividing the lands surveyed as aforesaid, into sections, half-sections or quarter-sections, as the case may be; to ascertain the true contents of such subdivisions; and to record in a book to be kept for that purpose, the surveys thus made. The surveyor-general shall furnish each deputy surveyor with a copy of the plat of the townships and fractional parts of townships contained in his district, describing the subdivisions thereof, and the marks of the corners. Each deputy surveyor shall be entitled to receive from the purchaser of any tract of land, of which a line or lines shall have been run and marked by him, at the rate of three dollars for every mile thus surveyed and marked, before he shall deliver to him a copy of the plat of such tract, stating its contents. The fees payable by virtue of former laws for surveying expenses shall, after the first day of July next, be no longer demandable from, and paid by the purchasers. And no final certificate shall thereafter be given by the register of any land office to the purchaser of any tract of land, all the lines of which shall not have been run, and the contents ascertained by the surveyor-general or his assistants, unless such purchaser shall lodge with the said register a plat of such tract, certified by the district surveyor. (c)

SEC. 14. *And be it further enacted*, That from and after the first day of April next, each of the registers and receivers of public monies of the several land offices established by law, either north of the river Ohio, or south of the State of Tennessee, shall, in addition to the commission heretofore allowed, receive one-half per cent. on all the monies paid for public lands sold in their respective offices, and an annual salary of five hundred dollars, the register and receiver of the land office at Marietta excepted, the annual salary of whom shall be two hundred dollars. And from and after the same day the fees payable by virtue of former laws to the registers of the several land offices, for the entry of lands and for certificates of monies paid, shall no longer be demandable from nor paid by the purchasers of public lands. And it shall be the duty of the Secretary of the Treasury to cause, at least once every year, the books of the officers of the land offices to be examined, and the balance of public monies in the hands of the several receivers of public monies of the said offices, to be ascertained.

SEC. 15. *And be it further enacted*, That from and after the first day of April next, the fees heretofore payable for patents for lands, shall no longer be paid by the purchasers. And it shall be the duty of every register of a land office on application of the party, to transmit, by mail, to the Register of the Treasury, the final certificate granted by such register to the purchaser of any tract of land sold at his office: and it shall be the duty of the Register of the Treasury, on receiving any such certificate, to obtain and transmit, by mail, to the register of the proper land office, the patent to which such purchaser is entitled; but, in every such instance, the party shall previously pay to the proper deputy postmaster, the postage accruing on the transmission of such certificate and patent.

SEC. 17. *And be it further enacted*, That the several superintendents of the public sales directed by this act, shall receive six dollars each, for each day's attendance on the said sales.

(a) See Nos. 4, 6, 16, 25, 30, 31, 32, 133, 170, 181.

(b) See Nos. 11, 16, 21, 25, 29, 30, 32, 39, 41, 43, 44, 47, 48, 52, 56, 59, 65, 76, 79, 80, 81, 83, 84, 85, 87, 88, 90, 99, 102, 108, 111, 113, 126, 130, 132, 133, 145, 155, 158, 175, 185.

(c) See Nos. 11, 12, 13, 21, 23, 25, 32, 36, 37, 42, 65, 76, 79, 81, 102, 119, 158.

Grants to Jos. Vanhorne, James Sutton, Chris. Van Gundy.

Public lands, after having been surveyed, to be divided by the Secretary of the Treasury, into surveying districts.

For each of which a deputy surveyor, with the approbation of the Secretary of the Treasury, shall be appointed.

Oath of office. His duties.

The surveyor-general to furnish the deputies with copies of the plats and fractional parts of townships in their districts.

Fees of the deputies.

Limitation of grant of a certificate.

Additional compensation to the registers and receivers of public monies of the several land offices.

Certain fees heretofore payable discontinued.

Books of the officers of the land offices to be annually examined, and the balance in their hands ascertained.

Fees heretofore demandable for patents no longer payable.

Registers of the land offices to transmit the final certificates of purchasers to the Register of the Treasury; postage to be paid by the purchasers.

Per diem allowance to superintendents of sales.

Feb. 11, 1805.
Vol 2, p. 313.

No. 37.—AN ACT concerning the mode of surveying the public lands of the United States.

Mode of surveying public lands north of the Ohio.

Corners to be marked.

Half sections purchased before July 1, 1804, to be surveyed and marked.

Whole expense of survey not to exceed three dollars per mile.

How the expense of making the surveys is to be paid.

Principles upon which the boundaries and contents of the public lands are to be ascertained.

Boundary lines run and marked by the surveyor south of the Tennessee River to be the proper boundaries of sections.

Boundary lines not actually run to be ascertained.

Surveys to be returned.

Part of a former act repealed.

Be it enacted, &c., That the surveyor-general shall cause all those lands north of the river Ohio, which, by virtue of the act, intituled "An act providing for the sale of the lands of the United States, in the territory northwest of the river Ohio, and above the mouth of the Kentucky River," were subdivided, by running through the townships, parallel lines each way, at the end of every two miles, and by marking a corner on each of the said lines, at the end of every mile; to be subdivided into sections, by running straight lines from the mile corners thus marked, to the opposite corresponding corners, and by marking on each of the said lines, intermediate corners as nearly as possible equidistant from the corners of the sections on the same. And the said surveyor-general shall also cause the boundaries of all the half-sections, which had been purchased previous to the first day of July last, and on which the surveying fees had been paid, according to law, by the purchaser, to be surveyed and marked, by running straight lines from the half-mile corners, heretofore marked, to the opposite corresponding corners; and intermediate corners shall, at the same time, be marked on each of the said dividing lines, as nearly as possible equidistant from the corners of the half-section on the same line: *Provided,* That the whole expense of surveying and marking the lines shall not exceed three dollars for every mile which has not yet been surveyed, and which shall be actually run, surveyed, and marked by virtue of this section. And the expense of making the subdivisions, directed by this section, shall be defrayed out of the monies appropriated, or which may be hereafter appropriated, for completing the surveys of the public lands of the United States.

SEC. 2. *And be it further enacted,* That the boundaries and contents of the several sections, half-sections, and quarter-sections of the public lands of the United States, shall be ascertained in conformity with the following principles, any act or acts to the contrary notwithstanding:

1st. All the corners marked in the surveys, returned by the surveyor-general, or by the surveyor of the land south of the State of Tennessee, respectively, shall be established as the proper corners of sections, or subdivisions of sections, which they were intended to designate; and the corners of half and quarter sections, not marked on the said surveys, shall be placed as nearly as possible equidistant from those two corners which stand on the same line.

2d. The boundary lines, actually run and marked in the surveys returned by the surveyor-general, or by the surveyor of the land south of the State of Tennessee, respectively, shall be established as the proper boundary lines of the sections, or subdivisions, for which they were intended, and the length of such lines, as returned by either of the surveyors aforesaid, shall be held and considered as the true length thereof. And the boundary lines, which shall not have been actually run, and marked as aforesaid, shall be ascertained, by running straight lines from the established corners to the opposite corresponding corners; but in those portions of the fractional townships, where no such opposite corresponding corners have been or can be fixed, the said boundary lines shall be ascertained, by running from the established corners, due north and south, or east and west lines, as the case may be, to the water-course, Indian boundary line, or other external boundary of such fractional township.

3d. Each section, or subdivision of section, the contents whereof shall have been, or by virtue of the first section of this act, shall be returned by the surveyor-general, or by the surveyor of the public lands south of the State of Tennessee, respectively, shall be held and considered as containing the exact quantity, expressed in such return or returns: and the half-sections and quarter-sections, the contents whereof shall not have been thus returned, shall be held and considered as containing the one-half, or the one-fourth part respectively, of the returned contents of the section of which they make part.

SEC. 3. *And be it further enacted,* That so much of the act intituled "An act making provision for the disposal of the lands in the Indiana Territory, and for other purposes," as provides the mode of ascertaining the true contents of sections or subdivisions of sections, and prevents the issue of final certificates, unless the said contents shall have been ascertained, and a plot certified by the district surveyor, lodged with the register, be, and the same is hereby repealed. (a)

(a) See Nos. 11, 12, 13, 21, 23, 25, 32, 33, 42, 65, 76, 79, 81, 102, 119, 158.

No. 38.—AN ACT to authorize the Secretary of War to issue military land-warrants, and for other purposes.

March 2, 1805.
Vol. 2, p. 329.

Be it enacted, &c., That the Secretary of War be, and he hereby is authorized from and after the passing of this act, to issue warrants for military bounty-lands to the sixty-three persons who have exhibited their claims, and produced satisfactory evidence to substantiate the same, to the Secretary of War; and also, to such persons as shall, before the first day of April next, produce to him satisfactory evidence of the validity of their claims, in pursuance of the act of the twenty-sixth of April, eighteen hundred and two, intituled "An act in addition to an act, intituled An act in addition to an act, regulating the grants of land appropriated for military services, and for the Society of the United Brethren for propagating the Gospel among the Heathen."

Secretary of War authorized to issue warrants for military bounty-land to certain persons referred to; and to others producing satisfactory evidence of their claims before April 1, &c.

SEC. 2. *And be it further enacted,* That the holders or proprietors of the land warrants issued by virtue of the preceding section, shall and may locate their respective warrants only on any unlocated parts of the fifty quarter townships, and the fractional quarter townships, which had been reserved for original holders, by virtue of the fifth section of an act, intituled "An act in addition to an act, intituled An act regulating the grants of land appropriated for military services, and for the Society of the United Brethren for propagating the Gospel among the Heathen."

Whereforegoing warrants may be located.

SEC. 3. *And be it further enacted,* That the act intituled "An act in addition to an act, intituled An act in addition to an act, regulating the grants of lands appropriated for military services, and for the Society of the United Brethren for propagating the Gospel among the Heathen," approved the twenty-sixth day of April, eighteen hundred and two, be, and the same is hereby continued in force until the first day of March, eighteen hundred and six. (a)

Former act continued in force until the 1st March.

(a) See Nos. 12, 15, 17, 18, 27, 32, 34, 38, 42, 49, 50, 60, 71, 128, 130, 131, 135, 139.

No. 39.—AN ACT supplementary to the act intituled "An act making provision for the disposal of the public lands in the Indiana Territory, and for other purposes."

March 3, 1805.
Vol. 2, p. 343.

SEC. 7. *And be it further enacted,* That all the sections heretofore reserved for the future disposition of Congress, and lying within either of the districts established for the disposal of public lands in the State of Ohio, with the exception of the section No. 16, of the salt springs, and lands reserved for the use of the same, and of the other sections or tracts of land otherwise heretofore specially appropriated, shall be offered for sale in that district within which such reserved sections may lie, on the same terms, and under the same regulations, as other lands in the same district: *Provided,* That such sections shall previously be offered to the highest bidder at public sales, to be held under the superintendence of the register and receiver of the land offices, respectively, to which they are attached, on the same terms as has been provided for the public sales of the other public lands of the United States, and on such day or days as shall by a public proclamation of the President of the United States be designated for that purpose: *And provided also,* That no such heretofore reserved section shall be sold either at public or private sale for less than eight dollars per acre. (a)

Sections reserved for the disposition of Congress, to be offered for sale.

Proviso.

Proviso.

(a) See Nos. 11, 16, 21, 25, 29, 30, 32, 36, 41, 43, 44, 47, 48, 52, 56, 59, 65, 76, 79, 80, 81, 83, 84, 85, 87, 88, 90, 99, 102, 108, 111, 113, 126, 130, 132, 133, 145, 155, 158, 175, 185.

No. 40.—AN ACT to repeal in part, the fourth section of an act, intituled "An act to authorize a grant of lands to the French inhabitants of Galliopolis, and for other purposes therein mentioned."

Feb. 21, 1806.
Vol. 2, p. 350.

Be it enacted, &c., That so much of the fourth section of an act, intituled "An act to authorize a grant of lands to the French inhabitants of Galliopolis, and for other purposes therein mentioned," as imposes the condition of an actual settlement on the said inhabitants, or any of them, their heirs or assigns, be, and the same is hereby repealed. And in every case where a patent has issued, in conformity with the said fourth section, to any of the inhabitants aforesaid, their heirs or assigns, the conditions aforesaid, inserted in any such patent, shall be considered null and void; and the fee-simple be vested to all intents and purposes, in the person to whom such patent has been issued, his or her heirs or assigns. (a)

Repeal of the 4th section of a former act, which imposes the condition of actual settlement.

(a) See Nos. 9, 13.

Feb. 28, 1806.
Vol. 2, p. 352.

No. 41.—AN ACT authorizing the sale of a tract of land, in the town of Cincinnati, and State of Ohio.

Secretary of the Treasury to cause a tract of land to be surveyed, the site of Fort Washington, and sold, &c., &c.

Be it enacted, &c., That for the disposal of a certain tract or lot of land, belonging to the United States, in the town of Cincinnati, on the Ohio, being the same on which Fort Washington was erected, the Secretary of the Treasury shall cause the said tract to be surveyed and laid off into town lots, streets and avenues, in such manner, and of such dimensions as he may judge proper, conforming as near as may be to the original plan of the town; when the survey is completed, a plat thereof shall be returned to the surveyor-general, on which the lots shall be denominated by progressive numbers, who shall therefrom cause two copies to be made, one to be transmitted to the Secretary of the Treasury, and the other to the register of the land office at Cincinnati: on the receipt of which plat, the Secretary of the Treasury shall cause the said town lots to be offered to the highest bidder at public sale, to be held at Cincinnati, under the superintendence of the register and receiver of the land office in the district of Cincinnati, on the same terms and conditions as have been provided for the public sale of the public lands of the United States. Six weeks' notice shall be given of the day of sale, in at least two newspapers published in the State of Ohio. (a)

(a) See Nos. 11, 16, 21, 25, 29, 30, 32, 36, 39, 43, 44, 47, 48, 52, 56, 59, 65, 76, 79, 80, 81, 83, 84, 85, 87, 88, 90, 99, 102, 108, 111, 113, 128, 130, 132, 133, 145, 155, 158, 175, 185.

April 15, 1806.
Vol. 2, p. 378.

No. 42.—AN ACT to authorize the Secretary of War to issue land warrants; and for other purposes.

Secretary of War authorized to issue land warrants.

Within what time those warrants may be located.

Surveyor-general to cause surveys to be made of the quarter townships.

Be it enacted, &c., That the Secretary of War be authorized to issue military land warrants, to such persons as have or shall, before the first day of March, one thousand eight hundred and eight, produce to him satisfactory evidence of the validity of their claims; which warrants, with those heretofore issued, and not yet satisfied, shall, and may be located in the names of the holders or proprietors thereof, at any time prior to the first day of October, one thousand eight hundred and eight, on any unlocated parts of the fifty quarter townships, and the fractional quarter townships, reserved by law, for original holders of military land-warrants. (a)

SEC. 2. *And be it further enacted,* That it shall be the duty of the surveyor-general, under the direction of the Secretary of the Treasury, to cause to be surveyed so much of the fifty quarter townships, and the fractional quarter townships aforesaid, as have been, or hereafter may be located according to law, in conformity with the locations made on the plats of the said quarter townships: *Provided,* The whole expense of surveying the same shall not exceed three dollars for every mile actually surveyed. (b)

(a) See Nos. 12, 15, 17, 18, 27, 32, 34, 38, 49, 50, 71, 128, 130, 131, 135, 139.

(b) See Nos. 11, 18, 32, 38, 71, 130.

April 15, 1806.
Vol. 2, p. 378.

No. 43.—AN ACT to suspend the sale of certain lands in the State of Ohio, and the Indiana Territory.

Operation of the sixth condition of the 5th section in a former act suspended.

In favor of actual settlers.

Be it enacted, &c., That the operation of the sixth condition of the fifth section of the act, intituled "An act to amend the act, intituled An act providing for the sale of the lands of the United States, northwest of the Ohio, and above the mouth of Kentucky River," be, and the same is hereby suspended until the first day of October next, in favour of such purchasers of lands under the said act, who shall exhibit satisfactory proof to the register and receiver of public monies in the respective districts where they reside, that they were actual settlers on the land so purchased, at the time of passing this act. (a)

(a) See Nos. 11, 16, 21, 25, 29, 30, 32, 36, 39, 41, 44, 47, 48, 52, 56, 59, 65, 76, 79, 80, 81, 83, 84, 85, 87, 88, 90, 99, 102, 108, 111, 113, 126, 130, 132, 133, 145, 155, 158, 175, 185.

April 21, 1806.
Vol. 2, p. 395.

No. 44.—AN ACT respecting the claims to lands in the Indiana Territory, and State of Ohio.

[See INDIANA, No. 199.]

No. 45.—AN ACT to extend the time for locating Virginia military [land] warrants, for returning surveys thereon to the office of the Secretary of the Department of War, and appropriating lands for the use of schools, in the Virginia military reservation, in lieu of those heretofore appropriated.

March 2, 1807.
Vol. 2, p. 424.

Be it enacted, &c., That the officers and soldiers of the Virginia line on continental establishment, their heirs or assigns, entitled to bounty lands within the tract reserved by Virginia, between the Little Miami and Scioto rivers, for satisfying the legal bounties to her officers and soldiers upon continental establishment, shall be allowed a further time of three years, from the twenty-third of March next, to complete their locations, and a further time of five years from the said twenty-third of March next, to return their surveys and warrants, or certified copies of warrants, to the office of the Secretary of the War Department, anything in the act intituled "An act to ascertain the boundary of the lands reserved by the State of Virginia, northwest of the river Ohio, for the satisfaction of her officers and soldiers on continental establishment, and to limit the period for locating the said lands," to the contrary notwithstanding: *Provided*, That no locations, as aforesaid, within the above-mentioned tract, shall, after the passing of this act, be made on tracts of land for which patents had previously been issued, or which had been previously surveyed, and any patent which may nevertheless be obtained for land located contrary to the provisions of this section, shall be considered as null and void.

A further time allowed for completing locations.

Proviso.

SEC. 2. *And be it further enacted*, That the Secretary of the Treasury be, and he is hereby authorized to obtain copies of all the locations and surveys, which have been, or may be made within the above-mentioned tract, and to cause to be run or surveyed, as many straight lines across the same, as he may deem necessary, not exceeding three: and from these and such other documents as may be obtained, to cause to be made a general connected plat of all the lands located and surveyed within the same; a copy of which shall be deposited in the War Department, and another copy shall be laid before Congress, together with an estimate of the surplus which may remain, after satisfying the bounties above mentioned. And the expenses incurred in surveying the lines, and obtaining the copies aforesaid, and in preparing the general plat above mentioned, shall be defrayed out of the monies appropriated for completing the surveys of the public lands northwest of the river Ohio. (a)

Secretary of the Treasury to cause a general and connected plat to be made.

Copies thereof, how to be disposed of.

Expense, how defrayed.

SEC. 3. *And be it further enacted*, That eighteen quarter townships and three sections, to be selected by the Secretary of the Treasury, by lot, in that tract of land in the State of Ohio, lately purchased from the Indians, and lying between the tract commonly called the United States military tract, and the tract commonly called the Connecticut Reserve, be, and the same are hereby appropriated for the use of schools, in that tract of land in the State aforesaid, commonly called "the Virginia military reservation," and be vested in the legislature of that State, in trust for the use aforesaid, and for no other use, intent, or purpose whatever; which said eighteen quarter townships and three sections, are thus appropriated, and vested in lieu of the one-thirty-sixth part of the tract aforesaid, called the "Virginia military reservation," which by a former act had been appropriated and vested as aforesaid, for the use of schools within the same: *Provided however*, That no quarter townships, including the section number sixteen of such township, shall be selected as aforesaid for the purpose above mentioned. *And provided also*, and it is hereby understood and declared, that the said eighteen quarter townships and three sections, shall be appropriated and vested, for the purposes aforesaid, only on condition that the legislature of the State of Ohio shall, within one year after the passing of this act, pass a law accepting the said eighteen quarter townships and three sections, for the purposes aforesaid, in lieu of the thirty-sixth part of the tract commonly called "the Virginia military reservation," heretofore appropriated and vested by law for the use of schools within the same; and releasing to the United States, all their claim, right, title, and interest, and all the right, title and interest of the inhabitants of the tract of land last mentioned, to the thirty-sixth part of the said tract heretofore appropriated and vested by law for the use of schools within the same. And if the legislature of the said State shall not pass a law as aforesaid, within one year after the passing of this act, the said eighteen quarter townships and three sections shall not be considered and held as appropriated and vested for the purposes aforesaid, but shall be disposed of

A portion of the "Virginia military reservation" to be vested in the State of Ohio, for the use of schools.

Limitation.

Legislature of Ohio to accept this grant in lieu of the part of the Virginia military reservation.

in the same manner as is or may be provided, by law, for the disposal of other public lands in the same tract. (b)

(a) See Nos. 1, 8, 22, 27, 32, 35, 46, 51, 58, 64, 66, 82, 93, 98, 112, 119, 121, 128, 146, 154, 159, 166, 172, 174, 177, 180, 183, 184, 187, 190.

(b) See Nos. 28, 31, 47, 76, 79, 85, 102, 109, 110, 136, 144, 150, 156, 158, 167, 168, 179.

March 3, 1807.
Vol. 2, p. 437.

Resolution
warrants may be
located within
three years from
March, 1808.

Proviso, that
no warrant can
be obtained un-
less proof to the
satisfaction of
the Secretary of
War that the
warrant was giv-
en for services
before the ces-
sion.

Patents not to
issue for a great-
er quantity of
land than the
laws of Virginia
entitled the per-
son performing
the service to.

Surveys to be
with drawn
where locations
shall have been
made in any oth-
er way, and re-
surveys to be
made, &c.

No. 46.—AN ACT authorizing patents to issue for lands located and surveyed by virtue of certain Virginia resolution warrants.

Be it enacted, &c., That any officer or soldier of the Virginia line, on continental establishment, or his legal representatives, to whom a land warrant has issued, by virtue of any resolution of the legislature of Virginia, as a bounty for services, which by the laws of Virginia, passed prior to the cession of the Northwestern Territory to the United States, entitled such officer or soldier to bounty lands, shall, if the said warrant has been or shall be located within three years from the twenty-third of March next, and a survey thereof has been or shall be, within five years from the said twenty-third of March next, returned to the office of the Secretary of War, obtain a patent for the same, in the same manner, and on the same conditions, as patents are obtained for lands located and surveyed on other warrants of the officers and soldiers of the Virginia line, on continental establishment: *Provided,* That no patent shall be obtained on such resolution warrant, unless there is produced to the Secretary of War, satisfactory evidence that such warrant was granted for services which, by the laws of Virginia, passed prior to the cession of the Northwestern Territory, would have entitled such officer or soldier, his heirs or assigns, to bounty lands, and also a certificate of the register of the land office of Virginia, that no other warrant has issued from the said land office for the same services.

SEC. 2. *And be it further enacted,* That no patent shall be issued by virtue of the preceding section, for a greater quantity of land, than the rank or term of service of the officer or soldier, to whom or to whose legal representatives such resolution warrant has been granted, would have entitled him to under the aforesaid laws of Virginia; and whenever it appears to the Secretary of War, that the survey or surveys, made by virtue of any resolution warrant, is for a greater quantity of land than the officer or soldier is entitled to for his services, the Secretary of War shall certify, on the said survey or surveys, the amount of such surplus quantity, and the officer or soldier, his heirs or assigns, shall have leave to withdraw his survey from the office of the Secretary of War, and resurvey his location, excluding such surplus quantity, in one body, from any part of his resurvey, and a patent shall issue upon such resurvey as in other cases. (a)

(a) See Nos. 1, 8, 22, 27, 32, 35, 45, 51, 58, 64, 66, 82, 93, 98, 112, 119, 121, 128, 146, 154, 159, 166, 172, 174, 177, 180, 183, 184, 187, 190.

March 3, 1807.
Vol. 2, p. 448.

Land of the
United States to
be disposed of.

Offices estab-
lished.

When to be
sold.

Reservations
&c.

No. 47.—AN ACT making provision for the disposal of the public lands, situated between the United States military tract and the Connecticut Reserve, and for other purposes.

Be it enacted, &c., That for the disposal of the lands of the United States, situated between the United States military tract and the Connecticut Reserve, a land office shall be established, which shall be kept at such place as the President of the United States may direct: and that for the disposal of the lands of the United States, lying on the Ohio River, between the Cincinnati and Vincennes districts, a land office shall be established at Jeffersonville: and for each of the said offices a register and receiver of public monies shall be appointed, who shall give security in the same manner, in the same sums, and whose compensation, emoluments, duties and authority, shall, in every respect, be the same, in relation to the lands which shall be disposed of at their offices, as are or may be provided by law, in relation to the registers and receivers of public monies in the several offices established for the disposal of the lands of the United States, north of the river Ohio, and above the mouth of Kentucky River.

SEC. 2. *And be it further enacted,* That all the lands of the United States, in the said districts, shall, with the exception of the section number sixteen, (a) and with the exception also of thirteen sections, including the lower town of the Delaware tribe of Indians, and their improvements, which said thirteen sections shall be designated by the Secretary of the Treasury, and shall be reserved for the use of the said tribe and their descendants, so long as they continue to reside thereon, and cultivate the same, be offered for sale to the highest bidder, under

the direction of the register of the land office, and of the receiver of public monies, at the places, respectively, where the land offices are kept, and on such day or days as shall, by proclamation of the President of the United States, be designated for that purpose: the sales shall remain open at each place for six weeks, and no longer: the lands shall not be sold for less than two dollars an acre, and shall in every other respect, be sold in tracts of the same size, and on the same terms and conditions, as have been, or may be by law provided for lands sold north of the river Ohio, and above the mouth of the Kentucky River. All the lands of the United States, in the said districts, with the exceptions above mentioned, remaining unsold at the close of the public sales, may be disposed of at private sale, by the register of the respective land offices, in the same manner, under the same regulations, for the same price, and on the same terms and conditions, as are or may be provided by law for the sale of the lands of the United States north of the river Ohio, and above the mouth of the Kentucky River. And patents shall be obtained for all lands sold in said districts, in the same manner and on the same terms as are provided by law, for other public lands sold in the State of Ohio and the Indiana Territory. (a)

The sales to remain open for six weeks.

Lands not to be sold for less than two dollars per acre.

SEC. 3. *And be it further enacted*, That the several superintendents of public sales, directed by this act, shall receive six dollars a day for each day's attendance on the said sales.

Compensation of superintendents of sales.

SEC. 4. *And be it further enacted*, That the President of the United States, in the recess of Congress, shall have full power to appoint and commission the registers and receivers of public monies of the land offices established by this act, and their commissions shall continue in force until the end of the session of Congress next ensuing such appointment.

Registers and receivers may be appointed in the recess of the Senate.

SEC. 6. *And be it further enacted*, That George Ash shall have the right of pre-emption to six hundred and forty acres of land including his improvement on the river Ohio, below the former Indian boundary line; the boundaries of the tract shall be designated by the register of the land office, and the said land shall be granted to him at the same price, and on payment being made in the same manner as for other public land sold at private sale, the respective instalments of the purchase money shall become due at the same time with the payments on the first public lands sold in that district.

George Ash to have the right of pre-emption.

(a) See Nos. 23, 31, 45, 76, 79, 85, 102, 109, 110, 136, 144, 150, 156, 158, 167, 168, 179.

(b) See Nos. 11, 16, 21, 25, 29, 30, 32, 36, 39, 41, 43, 44, 48, 52, 56, 59, 65, 76, 79, 80, 81, 83, 84, 85, 87, 88, 90, 99, 102, 108, 111, 113, 126, 130, 132, 133, 145, 155, 158, 175, 185.

No. 48.—AN ACT making further provision for the disposal of the sections of land heretofore reserved for the future disposition of Congress.

Feb. 29, 1808.
Vol. 2, p. 470.

Be it enacted, &c., That all the sections of land heretofore reserved for the future disposition of Congress, not sold or otherwise disposed of, and lying within either of the districts established for the disposition of public lands in the State of Ohio, with the exception of the section numbered sixteen of the salt springs and lands reserved for the use of the same, shall be offered for sale in that district, within which such reserved sections may respectively lie, on the same terms, and under the same regulations, as other lands in the same district: *Provided*, That such sections shall previously be offered to the highest bidder, at public sales, to be held under the superintendence of the registers and receivers of public monies of the land offices respectively to which they are attached, on the same terms as have been provided by law for the public sales of the other lands of the United States, and on such day or days as shall, by a proclamation of the President of the United States, be designated for that purpose: *And provided also*, That no such heretofore reserved section shall be sold either at public or private sale, at a less price than four dollars per acre. (a)

Reserved lands in Ohio with certain exceptions, to be offered for sale.

Such sections to be previously offered at public sale.

No reserved sections to be sold at less than four dollars per acre.

(a) See Nos. 11, 16, 21, 25, 29, 30, 32, 36, 39, 41, 43, 44, 47, 52, 56, 59, 65, 76, 79, 80, 81, 83, 84, 85, 87, 88, 90, 99, 102, 108, 113, 126, 130, 132, 133, 145, 155, 158, 175, 185.

No. 49.—AN ACT extending the time for issuing and locating military land-warrants.

March 21, 1808.
Vol. 2, p. 477.

Be it enacted, &c., That the Secretary of War be authorized to issue military land-warrants to such persons as have, or shall, before the first day of March, one thousand eight hundred and ten, produce to him satisfactory evidence of the validity of their claims; which warrants,

Secretary of War may issue land warrants to 1st March, 1810.

with those heretofore issued and not yet satisfied, shall and may be located in the names of the holders or proprietors thereof, prior to the first day of October, one thousand eight hundred and ten, on any unlocated parts of the fifty quarter townships and the fractional quarter townships, reserved by law for original holders of military land-warrants. (a)

(a) See Nos. 12, 15, 17, 18, 27, 32, 34, 38, 42, 50, 60, 71, 128, 130, 131, 135, 139.

Dec. 19, 1809.
Vol. 2, p. 555.

No. 50.—AN ACT extending the time for issuing and locating military land-warrants.

Secretary of War may issue certain military land-warrants. Where to be located.

Be it enacted &c., That the Secretary of War be authorized to issue military land-warrants to such persons as have or shall, before the first day of March, one thousand eight hundred and thirteen, produce to him satisfactory evidence of the validity of their claims; which warrants, with those heretofore issued and not yet satisfied, shall, and may be located in the names of the holders or proprietors thereof, prior to the first day of October, one thousand eight hundred and thirteen, on any unlocated parts of the fifty quarter townships and the fractional quarter townships, reserved by law for original holders of military land-warrants. (a)

(a) See Nos. 12, 15, 17, 18, 27, 32, 34, 38, 42, 49, 60, 71, 128, 130, 131, 135, 139.

Feb. 24, 1810.
Vol. 2, p. 556.

No. 50a.—AN ACT further to provide for the refugees from the British provinces of Canada and Nova Scotia, and for other purposes.

Refugees from Canada and Nova Scotia, to transmit their claims to land to the war office.

Be it enacted, &c., That all persons having claims under the resolutions of Congress, passed the twenty-third day of April, one thousand seven hundred and eighty-three, and the thirteenth of April, one thousand seven hundred and eighty-five, as refugees from the British provinces of Canada and Nova Scotia, shall transmit to the War Office, within two years after the passing of this act, a just and true account of their claims to the bounty of Congress.

Who entitled to the benefits of the provisions of this act.

SEC. 2. *And be it further enacted,* That no other person shall be entitled to the benefits of the provisions of this act, than those of the following descriptions, or their widows and heirs, viz: First, those heads of families and single persons, not members of any such families, who were residents in one of the provinces aforesaid, prior to the fourth day of July, one thousand seven hundred and seventy-six, and who abandoned their settlements, in consequence of having given aid to the United Colonies or States, in the revolutionary war, against Great Britain, or with intention to give such aid, and continued in the United States, or in their service during the said war, and did not return to reside in the dominions of the king of Great Britain, prior to the twenty-fifth day of November, one thousand seven hundred and eighty-three. Secondly, the widows and heirs of all such persons as were actually residents as aforesaid, who abandoned their settlements as aforesaid, and died within the United States, or in their service during the said war; and thirdly, all persons who were members of families at the time of their coming into the United States, and who during the war entered into their service.

Proofs, before whom to be taken.

SEC. 3. *And be it further enacted,* That the proof of the several circumstances necessary to entitle the applicants to the benefits of this act, may be taken before a judge of the Supreme or district court of the United States, or a judge of the supreme or superior court, or the first justice or first judge of the court of common pleas, or county court of any State.

Secretary of War to lay the evidence of claims before the Secretary and Comptroller of the Treasury, and with them to decide upon the measure of relief.

SEC. 4. *And be it further enacted,* That at the expiration of fifteen months from and after the passing of this act, and from time to time thereafter, it shall be the duty of the Secretary for the Department of War, to lay such evidence of claims as he may have received, before the Secretary and Comptroller of the Treasury, and with them proceed to examine the testimony, and give their judgment, what quantity of land ought to be allowed to the individual claimants, in proportion to the degree of their respective services, sacrifices and sufferings, in consequence of their attachment to the cause of the United States; allowing to those of the first class a quantity not exceeding one thousand acres, and to the last class a quantity not exceeding one hundred, making such intermediate classes, as the resolutions aforesaid and distributive justice may, in their judgment require, and make report thereof to Congress.

And in case any such claimant shall have sustained such losses and sufferings, or performed such services for the United States, that he cannot justly be classed in any one general class, a separate report shall be made of his circumstances, together with the quantity of land that ought to be allowed him, having reference to the foregoing ratio: *Provided*, That in considering what compensation ought to be made by virtue of this act, all grants, except military grants, which may have been made by the United States or individual States, shall be considered at the just value thereof, at the time the same were made respectively, either in whole or in part, as the case may be, a satisfaction to those who may have received the same: *Provided also*, That no claim under this law shall be assignable, until after report made to Congress as aforesaid, and until the said lands be granted to the persons entitled to the benefit of this act.

In what cases separate reports are to be made.

Proviso.

Proviso.

SEC. 5. *And be it further enacted*, That all claims in virtue of said resolutions of Congress, which shall not be exhibited as aforesaid, within the time by this act limited, shall for ever thereafter be barred: *Provided*, That no patent shall be issued to any person who may hereafter establish his claim under the said act, until he produce satisfactory evidence to the Secretary of the Treasury, that he is at the time then being, a resident within the United States. (a)

Claims to be exhibited; otherwise barred.

Proviso.

(a) See Nos. 23, 33, 33a, 55, 80.

No. 51.—AN ACT to extend the time for locating Virginia military land-warrants, and for returning the surveys thereon to the Secretary of the Department of War. March 16, 1810. Vol. 2, p. 589.

Be it enacted, &c., That the officers and soldiers of the Virginia line on continental establishment, their heirs or assigns, entitled to bounty lands within the tract reserved by Virginia, between the Little Miami and Sciota rivers, for satisfying the legal bounties to her officers and soldiers upon continental establishment, shall be allowed a further term of five years, from and after the passage of this act, to obtain warrants and complete their locations, and a further term of seven years, from and after the passage of this act as aforesaid, to return their surveys and warrants, or certified copies of warrants to the office of the Secretary of the War Department, anything in any former act to the contrary notwithstanding: *Provided*, That no locations as aforesaid, within the above-mentioned tract, shall, after the passing of this act, be made on tracts of land for which patents had previously been issued, or which had been previously surveyed; and any patent which may nevertheless be obtained for land located contrary to the provisions of this section, shall be considered as null and void. (a)

Five years allowed to obtain warrants and complete locations, and seven years to return the surveys.

(a) See Nos. 1, 8, 22, 27, 32, 35, 45, 46, 58, 64, 66, 82, 93, 98, 112, 119, 121, 128, 146, 154, 159, 166, 172, 174, 177, 180, 183, 184, 187, 190.

No. 52.—AN ACT providing for the removal of the land office established at Nashville, in the State of Tennessee, and Canton in the State of Ohio; and to authorize the register and receiver of public monies to superintend the public sales of land in the district east of Pearl River. Feb. 25, 1811. Vol. 2, p. 649.

[See MISSISSIPPI, No. 1279.]

No. 53.—AN ACT to authorize the surveying and marking of certain roads, in the State of Ohio, as contemplated by the treaty of Brownstown in the Territory of Michigan. Dec. 12, 1811. Vol. 2, p. 668.

Be it enacted, &c., That the President of the United States be, and hereby is authorized to appoint three commissioners, who shall explore, survey and mark, by the most eligible course, a road from the foot of the rapids of the river Miami of Lake Erie, to the western line of the Connecticut reserve, and a road to run southwardly from Lower Sandusky to the boundary line established by the treaty of Greenville, which said road shall be sixty feet in width; and the said commissioners shall make out accurate plats of such surveys, accompanied with field-notes, and certify and transmit the same to the President of the United States, who, if he approves of said surveys, shall cause the plats thereof to be deposited in the office of the Treasury of the United States; and

Road from the rapids of the river Miami of Lake Erie to western line of Connecticut reserve.

Commissioners' report to be made to the President.

Roads to be opened and made under the direction of the President.

Compensation of the commissioners and assistants.

the said roads shall be considered as established and accepted, pursuant to the treaty held at Brownstown, in the Territory of Michigan, on the twenty-fifth day of November, one thousand eight hundred and eight.

SEC. 2. *And be it further enacted*, That the aforesaid roads shall be opened and made under the direction of the President of the United States, in such manner as he shall direct.

SEC. 3. *And be it further enacted*, That the said commissioners shall each be entitled to receive three dollars, and their necessary assistants one dollar and fifty cents, for each and every day which they shall be necessarily employed in the exploring, surveying and marking said roads; and for the purpose of compensating the aforesaid commissioners and their assistants, and for opening and making said roads, there shall be and hereby is appropriated the sum of six thousand dollars, to be paid out of any monies in the Treasury not otherwise appropriated. (a)

(a) See Nos. 72, 97, 147, 163.

April 8, 1812.
Vol. 6, p. 106.

Confirmation of land purchase.

No. 54.—AN ACT for the relief of Thomas Orr.

Be it enacted, &c., That Thomas Orr be, and he is hereby confirmed in the purchase of the southeast quarter of section number eleven, township seven, and range two in the Steubenville district, at the rate of eight dollars per acre, and that the sum of three hundred and twenty dollars paid by the said Thomas Orr on account of the purchase money of the said quarter-section on the fourteenth day of January, one thousand eight hundred and six, shall by the register and receiver of public moneys of the land office for the district aforesaid be placed to his credit, and be considered the first instalment of the purchase money due on said quarter-section; and that the further sum of one hundred and fifty-eight dollars and eighty-five cents paid by Martin Andrews on the fourth day of May, one thousand eight hundred and eleven, on account of the purchase money of said quarter-section, shall, by the register and receiver aforesaid, be placed to the credit of the said Thomas Orr, and be considered as part of the second instalment, which shall become due and payable on account of the purchase money of the said quarter-section, on the fourth day of May, one thousand eight hundred and thirteen; and if the said Thomas Orr shall pay the balance of the said second instalment on the said fourth day of May, one thousand eight hundred and thirteen, and the balance of the purchase money due on said quarter-section, in two equal annual instalments, in the same manner as is provided by law for the purchasers of public lands, the said Thomas Orr, his heirs or assigns, shall be entitled to a patent for the said quarter-section.

April 23, 1812.
Vol. 2, p. 712.

Specific grants to sundry persons.

No. 55.—AN ACT making provision for certain persons claiming lands under the several acts for the relief of the refugees from the British provinces of Canada and Nova Scotia.

Be it enacted, &c., That the following persons, claiming lands under the act, entitled "An act to revive and continue in force an act, entitled An act for the relief of the refugees from the British provinces of Canada and Nova Scotia," passed on the sixteenth day of March, one thousand eight hundred and four, shall, respectively, be entitled to the following quantities of land, that is to say: Charlotte Hazen, widow of Moses Hazen; Chloe Shannon, wife of James Noble Shannon and relict of Obadiah Ayer, deceased; the heirs of Elijah Ayer and the heirs of Israel Ruland, respectively, nine hundred and sixty acres; Elijah Ayer, jun. and the heirs of Anthony Burk, respectively, three hundred and twenty acres: And that the following persons, claiming lands under the act, entitled "An act further to provide for the refugees from the British provinces of Canada and Nova Scotia, and for other purposes," passed on the twenty-fourth day of February, one thousand eight hundred and ten, shall, respectively, be entitled to the following quantities of land, that is to say: the heirs of James Boyd, two thousand two hundred and forty acres; the heirs of Nathaniel Reynolds, the heirs of Edward Antill and Joshua Sprague, respectively, nine hundred and sixty acres; Robert Sharp, John Fulton and John Morrison, each, six hundred and forty acres; James Sprague, David Dickey, John Taylor, and the heirs of Gilberts Seamans, deceased, respectively, three

hundred and twenty acres; which several tracts of land shall be located within the boundaries of the fractional townships, reserved and set apart for the purpose of satisfying the claims of the refugees from Canada and Nova Scotia; and the locations shall be made, and patents granted, in the manner and on the conditions prescribed by former laws, except as to the time for making the locations; which locations shall be made on the day or days that the Secretary of the Treasury shall judge most convenient for the claimants, and shall designate for the purpose. (a)

Reservations.

(a) See Nos. 23, 33, 33a, 50a, 80.

No. 56.—AN ACT giving further time to the purchasers of public lands, northwest of the river Ohio, to complete their payments.

April 23, 1812.
Vol. 2, p. 712.

Be it enacted, &c., That every person, who, prior to the first day of April, one thousand eight hundred and eight, had purchased any tract or tracts of land of the United States, not exceeding in the whole six hundred and forty acres, at any of the land offices established for the disposal of the public lands northwest of the river Ohio, and whose lands have not already been actually sold or reverted to the United States for non-payment of part of the purchase money, shall be allowed the further term of three years from the first day of January, one thousand eight hundred and thirteen, for the payment of the residue of the principal and interest due on account of such purchase, to be paid in four equal annual payments, the first whereof to be on the said first day of January, one thousand eight hundred and thirteen; and in case of failure in paying any of the said annual payments at the time when the same shall become due, the tract of land shall be forthwith advertised and offered for sale in the manner and on the terms and conditions heretofore prescribed for the sale of lands purchased of the United States, and not paid for within the limited time. (a)

Purchasers prior to 1st April, 1808.

Allowed three years from 1st January, 1813.

Land to be sold on failure to pay.

(a) See Nos. 11, 16, 21, 25, 29, 30, 32, 36, 39, 41, 43, 44, 47, 48, 52, 59, 65, 76, 79, 80, 81, 83, 84, 85, 87, 88, 90, 99, 102, 108, 111, 113, 126, 130, 132, 133, 145, 153, 158, 175, 185.

No. 57.—AN ACT to authorize the President of the United States to ascertain and designate certain boundaries.

May 20, 1812.
Vol. 2, p. 741.

Be it enacted, &c., That the surveyor-general, under the direction of the President of the United States, be, and he is hereby authorized and required (as soon as the consent of the Indians can be obtained,) to cause to be surveyed, marked and designated, so much of the western and northern boundaries of the State of Ohio, which have not already been ascertained, as divides said State from the Territories of Indiana and Michigan, agreeably to the boundaries as established by the act, entitled "An act to enable the people of the eastern division of the territory northwest of the river Ohio to form a constitution and State government, and for the admission of such State into the Union on an equal footing with the original States, and for other purposes," passed April thirtieth, one thousand eight hundred and two; and to cause to be made a plat or plan of so much of the boundary line as runs from the southerly extreme of Lake Michigan to Lake Erie, particularly noting the place where the said line intersects the margin of said lake, and to return the same when made to Congress: *Provided,* That the whole expense of surveying and marking the said boundary lines shall not exceed five dollars for every mile that shall be actually surveyed and marked, which shall be paid out of the monies appropriated for defraying the expense of surveying the public lands. (a)

President to cause the surveyor-general to designate the western and northern boundaries of Ohio, &c.

A plat to be made of the boundary which runs southerly of Lake Michigan. Expense limited, &c.

(a) See Nos. 28, 141, 142.

No. 58.—AN ACT to ascertain the western boundary of the tract reserved for satisfying the military bounties allowed to the officers and soldiers of the Virginia line on continental establishment.

June 26, 1812.
Vol. 2, p. 764.

Be it enacted, &c., That the President of the United States shall be, and he is hereby authorized by and with the advice and consent of the Senate, to appoint three commissioners on the part of the United States, to act with such commissioners as may be appointed by the State of Virginia, and the commissioners thus appointed shall have full power

President of the United States and the State of Virginia to appoint commissioners, &c.

and authority to ascertain, survey and mark, according to the true intent and meaning of the condition, touching the military reservation, in the deed of cession from the State of Virginia to the United States, of the land northwest of the river Ohio, the westwardly boundary line of said reservation between the Little Miami and Scioto rivers.

Commissioners to meet at Xenia.

Duty of commissioners

A plat to be made and returned to the Commissioner of the General Land Office.

Surveyor, &c., to be engaged.

Pay of the commissioners.

Temporary boundary line.

A copy of this act to be transmitted to the governor of Virginia.

SEC. 2. *And be it further enacted*, That the commissioners appointed by the United States shall meet at Xenia in the State of Ohio, on the fifth day of October next, for the purpose of ascertaining the said line, unless otherwise directed by the President of the United States; and in case they shall not be met by commissioners appointed on the part of the State of Virginia, within six days after the said fifth day of October next, the commissioners appointed on the part of the United States shall proceed to ascertain, survey and distinctly mark the said boundary line, according to the true intent and meaning of the said act of cession; in measuring the said line, whether accompanied by the commissioners on the part of Virginia or not, or in case of disagreement, they shall note the intersections, if any, of said line with any surveys heretofore authorized by the United States, all water-courses, the quality of the land over which the line passes and any other matter which in their opinion requires notice. The said commissioners shall make a plat of said line, its intersections, with notes and references, which shall be signed and returned by the said commissioners to the Commissioner of the General Land Office, accompanied by a written report, on or before the fifth day of January next, unless the time of meeting shall have been prolonged by the President of the United States, who shall lay copies of the same before both houses of Congress at their next session.

SEC. 3. *And be it further enacted*, That the commissioners aforesaid shall have power to engage a skilful surveyor, who shall employ chain-carriers and a marker, and shall be allowed four dollars for every mile actually surveyed and marked under direction of the said commissioners, in performance of the duties assigned them; and the commissioners appointed on the part of the United States shall each receive five dollars for each day he shall be necessarily employed in performance of the duties required of them by this act, which compensation to the surveyor and commissioners shall be paid out of any monies in the Treasury not otherwise appropriated by law.

SEC. 4. *And be it further enacted*, That until the westwardly boundary line of the said reservation shall be finally established by the agreement and consent of the United States and the State of Virginia, the boundary line designated by an act of Congress passed on the 23d day of March, one thousand eight hundred and four, shall be considered and held as the proper boundary line of the aforesaid reservation.

SEC. 5. *And be it further enacted*, That it shall be the duty of the Secretary of State to transmit an authenticated copy of this act to the governor of Virginia within twenty days after its passage. (a)

(a) See Nos. 1, 8, 22, 27, 32, 35, 45, 46, 51, 64, 66, 82, 93, 98, 112, 119, 121, 128, 146, 154, 159, 166, 172, 174, 177, 180, 183, 184, 187, 190.

July 6, 1812.
Vol. 2, p. 782.

NO. 59.—AN ACT supplementary to the act entitled "An [act] giving further time to purchasers of public lands northwest of the river Ohio, to complete their payments."

Provisions of the act to which this is a supplement extended to purchasers of certain fractional townships, without reservation.

Be it enacted, &c., That the provisions of the act to which this act is a supplement shall be, and they are hereby extended to the several purchasers of the fractional sections, which were by the direction of the Secretary of the Treasury, classed together for sale, according to the ninth section of an act, entitled "An act making provision for the disposal of the public lands in the Indiana Territory, and for other purposes," passed on the twentieth of March, one thousand eight hundred and four, notwithstanding the quantity of land contained in any one tract, composed of such fractional sections, so classed together, and purchased by a single contract, shall exceed six hundred and forty acres.

Assignee or assignees of original purchasers of land from the United States entitled to the benefits of this act.

SEC. 2. *And be it further enacted*, That the assignee or assignees of any original purchaser of land from the United States, the lands being purchased prior to the first day of April, one thousand eight hundred and eight, shall be entitled to the benefit of the provisions of the act, to which this act is a supplement, and the last preceding section, in every case where it shall appear to the satisfaction of the register and receiver of public monies of the district within which the land may lie, that the

assignment by which he or they so claim was bona fide made prior to the passing of the aforesaid act, that the whole lands claimed by virtue of such assignment does not exceed six hundred and forty acres, unless it comes within the provision of the preceding section, and that the lands or some one tract thereof is inhabited and cultivated by or for the use of the assignee or assignees.

SEC. 3. *And be it further enacted*, That in every case where any tract or tracts of land purchased prior to the first day of April, one thousand eight hundred and eight, not exceeding six hundred and forty acres, unless such tract shall come within the provision of the first section of this act, has since the first day of April last, reverted, or that may before the first day of August next, revert to the United States, for default of payment: the person or persons claiming such tract or tracts, whether as an assignee or an original purchaser, may again re-enter the same: and all monies which such assignee or original purchaser may have paid shall be replaced to his credit, by the register and receiver of public monies of the district in which the lands may lie, and such repurchaser or repurchasers shall be allowed the same benefit of the extension of the time of payment, provided by the act to which this is a supplement, as though no such reversion had occurred; provided such assignee or assignees, original purchaser or purchasers shall make to the proper land officer application for such re-entry on or before the first day of September next, and that the lands so re-entered shall not have been resold previous to such application. (a)

(a) See Nos. 11, 16, 21, 25, 29, 30, 32, 36, 39, 41, 43, 44, 47, 48, 52, 56, 65, 76, 79, 80, 81, 83, 84, 85, 87, 88, 90, 99, 102, 108, 111, 113, 126, 130, 132, 133, 145, 155, 158, 175, 185.

No. 60.—AN ACT further extending the time for issuing and locating military land warrants.

July 5, 1813.
Vol. 3, p. 3.

Be it enacted, &c., That the Secretary of War be authorized to issue military land-warrants to such persons as have or shall, before the first day of March, one thousand eight hundred and sixteen, produce to him satisfactory evidence of the validity of their claims; which warrants, with those heretofore issued and not yet satisfied, shall and may be located in the name of the holders or proprietors thereof, prior to the first day of October, one thousand eight hundred and sixteen, on any unlocated parts of the fifty quarter townships, and the fractional quarter townships reserved by law for original holders of military land-warrants. And patents shall be granted for the land located under this act, in the same manner as is directed by former acts for granting military lands. (a)

Certain military warrants may be issued by the Secretary of War.

(a) See Nos. 12, 15, 17, 18, 27, 32, 34, 38, 42, 49, 50, 71, 128, 130, 131, 135, 139.

No. 61.—AN ACT for the relief of John James Dufour and his associates.

Aug. 2, 1813.
Vol. 6, p. 126.

Be it enacted, &c., That the further time of five years be, and the same hereby is allowed to John James Dufour and his associates, to pay the money due the United States for a tract of land appropriated by virtue of an act of Congress, entitled "An act to empower John James Dufour and his associates to purchase certain lands," approved the first day of May, one thousand eight hundred and two, on the same terms, conditions, and limitations specified in the above recited act. (a)

Five years allowed to pay money due for a tract of land.

(a) See No. 29.

No. 62.—AN ACT for the relief of James Crawford.

March 9, 1814.
Vol. 6, p. 128.

Be it enacted, &c., That James Crawford be, and he is hereby confirmed in the purchase of the west half of section number twenty-nine, in township number seven, of range number two, in the district of lands offered for sale at Steubenville: *Provided*, That the said James Crawford shall complete the payment of the purchase money for the land contained in the southwest quarter of the aforesaid section, at the price per acre, and on the terms and conditions specified in the certificate of the register of the land office, for the west half of the said section, bearing date April fourth, one thousand eight hundred and eleven; and shall also complete the payment for the northwest quarter of said section, at the price of eight dollars an acre. The instalments of the purchase money for the said northwest quarter shall be considered as due and becoming due on

Land purchase confirmed.

the respective days specified for making payment in the aforesaid certificate of the register; and the sum of three hundred and twenty dollars, paid on account of the purchase money of the said northwest quarter, and which became forfeited by non-payment of part of the purchase money, shall, by the register and receiver of public moneys for the said district, be placed to the credit of the said James Crawford, and be considered as part of the purchase money for the said northwest quarter-section; and the said James Crawford, his heirs, or assigns, shall be entitled to a patent for the land contained in the west half of the aforesaid section, on his completing the payment of the purchase money, according to the provisions of this act.

April 18, 1814.
Vol. 6, p. 141.

No. 63.—AN ACT for the relief of Dennis Clark.

Purchase money for land to be refunded.

May enter another tract.

Be it enacted, &c., That the receiver of public moneys for the district of lands offered for sale at Cincinnati, be required to pay Dennis Clark the full amount of moneys, with interest, paid by the said Dennis Clark to the receiver aforesaid, in discharge of the purchase money for fractional section number ten, in the first township, and first range east.

SEC. 2. *And be it further enacted,* That the said Dennis Clark shall be permitted to enter with the register of the land office, at two dollars per acre, one hundred and sixty acres of land, in any section or part of a section within the Cincinnati district, which has been reserved and offered for sale, but not sold, to be paid for as other lands of the United States.

Nov. 3, 1814.
Vol. 3, p. 143.

No. 64.—AN ACT further extending the time for locating Virginia military land-warrants, and for returning the surveys thereon to the General Land Office.

Officers and soldiers in Virginia line, on continental establishment, allowed a further time.

Be it enacted, &c., That the officers and soldiers of the Virginia line, on continental establishment, their heirs or assigns, entitled to bounty lands within the tract reserved by Virginia, between the Little Miami and Sciota rivers, for satisfying the legal bounties to her officers and soldiers upon continental establishment, shall be allowed a further term of three years, from and after the passage of this act, to obtain warrants and complete their locations, and a further term of five years, from and after the passage of this act as aforesaid, to return their surveys and warrants, or certified copies of warrants, to the General Land Office, anything in any former act to the contrary notwithstanding: *Provided,* That no locations, as aforesaid within the above-mentioned tract, shall, after the passing of this act, be made on tracts of land for which patents had previously been issued, or which had been previously surveyed: and any patent which may, nevertheless, be obtained for land located contrary to the provisions of this act, shall be considered as null and void. (a)

(a) See Nos. 1, 8, 22, 27, 32, 35, 45, 46, 51, 58, 66, 82, 93, 98, 112, 119, 121, 128, 146, 154, 159, 165, 172, 174, 177, 180, 183, 184, 187, 190.

Feb. 4, 1815.
Vol. 3, p. 201.

No. 65.—AN ACT attaching to the Canton district, in the State of Ohio, the tract of land lying between the foot of the rapids of the Miami of Lake Erie, and the Connecticut Western Reserve.

Lands attached to the district of Canton.

The ordinary modes of surveying public lands to be deviated from in surveying those of the Canton district.

Be it enacted, &c., That all that tract of land lying between the foot of the rapids of the river Miami of Lake Erie and the western line of the Connecticut Reserve, in the State of Ohio, which was ceded to the United States by certain tribes of Indians, at a treaty concluded at Brownstown, in the Michigan Territory, on the twenty-fifth day of November, one thousand eight hundred and eight, shall be attached to, and made a part of, the district of Canton. (a)

SEC. 2. *And be it further enacted,* That in surveying and dividing the lands by this act attached to the district of Canton, the ordinary mode of surveying the public lands shall be so far deviated from that the boundary lines of the tracts to be laid off therein shall be run parallel to, and at right angles with, the road laid out in conformity with the said treaty, and in every other respect the surveys shall be made in the same manner, and for the same compensation allowed for the surveying the other public lands northwest of the river Ohio. (b)

SEC. 3. *And be it further enacted,* That all the lands by this act attached to the district of Canton, shall be offered for sale to the highest bidder, under the direction of the register of the land office and the receiver of public moneys of the said district, at such time and place as the President of the United States shall designate by proclamation for that purpose; and the sales shall remain open one week and no longer; and the said lands shall in every respect be sold on the same terms and conditions as have been provided for the sale of other lands of the United States. All the lands in the said tract remaining unsold at the close of the said sales may be disposed of at private sale by the register of the land office of the said district, on the same terms and conditions, as are provided for the sale of other public lands in the same district; and patents shall be obtained in the same manner as in case of other lands of the United States. (c)

Lands attached to the Canton district by this act to be offered for sale.

SEC. 4. *And be it further enacted,* That the aforesaid register and receiver of public moneys shall each receive four dollars per day for each day's attendance on the public sales directed by this act.

Fees to the register and receiver of public moneys.

(a) See Nos. 21, 25, 29, 30, 32, 35, 39, 41, 44, 47, 52, 59, 76, 79, 80, 81, 85, 88, 90, 99, 104, 132, 140, 153, 189.

(b) See Nos. 11, 12, 13, 21, 23, 25, 32, 36, 37, 42, 76, 79, 81, 102, 119, 153.

(c) See Nos. 11, 16, 21, 25, 29, 30, 32, 36, 39, 41, 43, 44, 47, 48, 52, 56, 59, 76, 79, 80, 81, 83, 84, 85, 87, 83, 90, 99, 102, 108, 111, 113, 136, 130, 132, 133, 145, 155, 158, 175, 185.

No. 66.—AN ACT giving further time to complete the surveys and obtain the patents for lands located under Virginia resolution warrants.

Feb. 22, 1815.
Vol. 3, p. 212.

Be it enacted, &c., That the officers and soldiers of the Virginia line on continental establishment, or their legal representatives, to whom land warrants have issued by virtue of any resolution of the legislature of Virginia, as a bounty for services, which by the laws of Virginia, passed prior to the cession of the Northwestern Territory to the United States, entitled such officers or soldiers to bounty lands, and whose location of such warrants shall have been made prior to the twenty-third day of March, one thousand eight [hundred] and eleven, shall be allowed the further time of two years from the passing of this act to complete their surveys and obtain their patents for the land located as aforesaid: *Provided,* That surveys shall be made and patents granted on the aforesaid locations, under the same regulations, restrictions and provisions, in every respect, as were prescribed for the making of surveys and granting of patents by the act, entitled "An act authorizing patents to issue for lands located and surveyed by virtue of certain 'Virginia resolution warrants,'" passed on the third day of March, one thousand eight hundred and seven. (a)

Further time allowed to complete surveys, &c.

(a) See Nos. 1, 8, 22, 27, 32, 35, 45, 46, 51, 56, 64, 82, 93, 98, 112, 119, 121, 128, 146, 154, 159, 166, 172, 174, 177, 180, 183, 184, 187, 190.

No. 67.—AN ACT for granting and securing to Anthony Shane, the right of the United States to a tract of land in the State of Ohio.

Feb. 24, 1815.
Vol. 6, p. 149.

Be it enacted, &c., That, in consideration of valuable and faithful services, rendered to the United States, during the present war, by Anthony Shane, a half-breed Indian, there be granted to him all the right of the United States to a tract of land, to contain three hundred and twenty acres, lying on the river St. Mary's, at a place called Shane's Crossing, within the limits of the State of Ohio, but in a part thereof to which the Indian title has not yet been extinguished; the said tract to be located in a convenient form, and so as to comprehend the said Anthony Shane's improvements.

Grant of land to A. Shane.

SEC. 2. *And be it further enacted,* That as soon as the Indian title to the territory comprehending the said tract, shall be extinguished, the said three hundred and twenty acres shall be surveyed under the authority of the United States, and a patent therefor shall be granted to the said Anthony Shane, or, if not then living, to his children and legal representatives, to hold the same to them and their heirs. (a)

Patent to issue, when.

(a) See Nos. 144, 156.

No. 68.—AN ACT for the relief of Joseph Anderson.

Be it enacted, &c., That the sum of three hundred and twenty-two dollars and sixty-eight cents, paid by Joseph Anderson, on the fifth day of November, one thousand eight hundred and five, on account of the purchase money of the northwest quarter of section of land number eleven, in township seven, and range four, in the Steubenville district,

Jan. 22, 1816.
Vol. 6, p. 156.

Payment to be placed to his credit, and patent to issue.

shall, by the register and receiver of public moneys of the land office for the district aforesaid, be placed to the credit of the said Joseph Anderson, and be considered as the fourth instalment of the purchase money due for said quarter-section; and that the said Joseph Anderson, his heirs or assigns, shall be entitled to a patent for the same.

Feb. 6, 1816.
Vol. 6, p. 157.

No. 69.—AN ACT for the relief of Charles Markin.

Be it enacted, &c., That Charles Markin shall be permitted to withdraw his entry made on the twenty-third day of February, one thousand eight hundred and fifteen, at the land office at Chillicothe, from the northwest quarter of section number nineteen, township number two, of range number sixteen, and the money paid by him on the said entry shall be placed to his credit on any purchase he shall make or may have made of public lands in the same district.

Feb. 6, 1816.
Vol. 6, p. 157.

No. 70.—AN ACT for the relief of Martin Cole, John Pollock, George Westner, and Abraham Welty.

Be it enacted, &c., That Martin Cole, John Pollock, George Westner, and Abraham Welty be, and they are hereby authorized to withdraw their respective erroneous entries made in the district of Madison. Canton, Vincennes, and Zanesville, respectively, and the moneys paid by them on the said entries shall be placed to their credit, on any purchase of public land they may have made, or shall make in the same districts.

April 16, 1816.
Vol. 3, p. 284.

No. 71.—AN ACT further extending the time for issuing and locating military land-warrants, and for other purposes.

Be it enacted, &c., That the Secretary of War be authorized to issue military land-warrants to such persons as have or shall, before the first day of March, one thousand eight hundred and eighteen, produced to him satisfactory evidence of the validity of their claims; which warrants, with those heretofore issued, and not yet satisfied, shall and may be located in the name of the holders or proprietors thereof, prior to the first day of October, one thousand eight hundred and eighteen, on any unlocated parts of the fifty quarter townships, and the fractional quarter townships, reserved by law for original holders of military land-warrants. And patents shall be granted, for the land located under this act, in the same manner as is directed by former acts for granting military lands.

SEC. 2. And be it further enacted, That at the expiration of the term limited by this act, for the location of the military land-warrants aforesaid, it shall be the duty of the Commissioner of the General Land Office, to transmit to the surveyor-general a list of all the lots of land within the fifty quarter townships and fractional quarter townships, which shall at that time remain unlocated; and the surveyor-general shall prepare and transmit to the registers of the land office at Chillicothe and Zanesville, respectively, general plats of the aforesaid unlocated lots, which lots shall, after the first day of March, one thousand eight hundred and nineteen, be offered for sale at the land offices in the districts in which they are situated, in the same manner, on the same terms and conditions, in every respect, as other public lands are offered at private sale, in the same districts. (a)

Representatives of officers and soldiers of militia, &c., provided for.

(a) See Nos. 12, 15, 17, 18, 27, 32, 34, 38, 42, 49, 50, 60, 128, 130, 131, 135, 139.

April 16, 1816.
Vol. 3, p. 285.

No. 72.—AN ACT to authorize the President of the United States to alter the road laid out from the foot of the rapids of the river Miami of Lake Erie, to the western line of the Connecticut Reserve.

Be it enacted, &c., That the President of the United States be, and is hereby authorized to cause to be made, in such manner as he may deem most proper, an alteration in the road laid out under the authority of an act, entitled "An act to authorize the surveying and making of certain roads in the State of Ohio, as contemplated by the treaty of Browns-

town in the Territory of Michigan," so that the said road may pass through the United States' reservation at Lower Sandusky, or north thereof not exceeding three miles.

SEC. 2. *And be it further enacted*, That the necessary expenses which shall be incurred in altering the said road shall be paid out of the moneys appropriated for the surveying of the public lands of the United States. (a)

(a) See Nos. 53, 97, 147, 163.

No. 73.—AN ACT to authorize the legislature of the State of Ohio to sell a certain part of a tract of land, reserved for the use of that State.

April 16, 1816.
Vol. 6, p. 161.

Be it enacted, &c., That the legislature of the State of Ohio shall be, and are hereby authorized and empowered to cause to be selected and sold, in such manner, and on such terms and conditions as they may by law direct, any one section not exceeding the quantity of six hundred and forty acres, of the tract of land of six miles square, reserved for the benefit of that State, at the Scioto salt springs: *Provided*, That the section so selected shall not include the said salt springs, and that the money arising from the sale of the aforesaid section shall be applied to the erection of a court-house, or other public buildings, thereon, for the use of the county of Jackson, in said State; and whenever the selection and sale of the said section of land shall have been made, and the same shall be duly certified to the Commissioner of the General Land Office, a patent shall be granted by the President of the United States, for the said section, in trust to such person or persons as the legislature of the State shall have appointed and authorized, to sell and execute titles to the purchasers of the land aforesaid. (a)

Legislature of Ohio may sell certain reserved section of land.

Proceeds to be applied to the erection of court-house, &c., for Jackson County.

(a) See Nos. 11, 28, 76, 79, 105.

No. 74.—AN ACT for the relief of Edward Wilson.

April 20, 1816.
Vol. 6, p. 162.

Be it enacted, &c., That Edward Wilson shall be permitted to withdraw an entry made by James Caldwell, on the fourth day of April, one thousand eight hundred and eleven, at the land office at Steubenville, from the southwest quarter of section number thirteen, in township number nine, of range number seven, in the district of land offered for sale at Steubenville; and the money paid on the said entry shall be placed to the credit of said Wilson on any purchase he may make, or may have made, of public lands in said district.

Allowed to withdraw his entry in the land office at Steubenville, &c.

No. 75.—AN ACT granting to Amos Spafford the right of pre-emption.

April 26, 1816.
Vol. 6, p. 166.

Be it enacted, &c., That Amos Spafford, collector of the district and port of Miami, shall have the right of pre-emption to one hundred and sixty acres of land, to include his improvements, situate within the limits of the reserve of twelve miles square, at the rapids of Miami of Lake Erie, the boundaries of which shall be designated under the direction of the Secretary of the Treasury; which tract of land shall be granted to him at the same price, and on the same terms and conditions for which the other public lands are sold at private sale.

Pre-emption right granted to him.

No. 76.—AN ACT providing for the sale of the tract of land at the lower rapids of Sandusky River.

April 27, 1816.
Vol. 3, p. 308.

Be it enacted, &c., That so much of the tract of land of two miles square, at the lower rapids of Sandusky River, ceded by the Wyandots, Delawares, Shawanoes, Ottawas, Chippewas, Patawatimies, Miamis, Eel River, Weeas, Kickapoos, Piankashaws, and Kaskaskias tribes of Indians to the United States, by the treaty of Greenville, of the third of August, one thousand seven hundred and ninety-five, shall, under the direction of the surveyor-general, be laid off into town lots, streets and avenues, and into out-lots, in such manner and of such dimensions as he may judge proper: *Provided*, The tract so to be laid off shall not exceed the quantity of land contained in one entire section, nor the town lots one-quarter of an acre each. When the survey of the lots shall be completed, a plat thereof shall be returned to the surveyor-general, on which the town lots and out-lots shall respectively be des-

Part of a tract to be laid off into town and out lots.

Proviso.

ignated by progressive numbers, who shall cause two copies to be made, one to be transmitted, with a copy of the field-notes, to the Commissioner of the General Land Office, and the other to the register of the land office at Wooster.

Surveyor - general to lay off the tract of land directed to be sold by this act.

Proviso.

Proviso.

Lands to be sold with certain reservations, at public sale.

SEC. 2. *And be it further enacted*, That previously to the disposal at public sale of the before-mentioned tract of land, the surveyor-general shall, and he is hereby directed to resurvey and mark the exterior lines of the said tract, conformably to the survey made in [the] year one thousand eight hundred and seven, by virtue of the act of the third of March, one thousand eight hundred and five, and also to cause divisional lines to be run through each fractional section, and of the adjoining quarter-section, so that each subdivision, having one front on the river, may contain, as nearly as may be, eighty acres each. And in like manner to cause the large island, lying in the west half of section number one, to be surveyed, and the same to be divided into two equal parts: *Provided*, That in running the subdivisional lines, no interference shall be made affecting the selection or location hereafter to be made under the direction of the Secretary of War: *Provided also*, That in no case shall the subdivisional lines be so run, as to extend to, or embrace the bed of the river, which shall be deemed, and is hereby declared to be a public highway: *And provided also*, That the whole expense of resurveying and marking the exterior lines of the said cession, and running and marking the subdivisional lines of the fractional and quarter sections, lying adjacent to the river, shall not exceed three dollars for every mile actually surveyed, resurveyed and marked, by virtue of this and the preceding section. (a)

SEC. 3. *And be it further enacted*, That all the land contained within the aforesaid cession, of two miles square, shall, with the exception of as many town lots and out-lots, as in the opinion of the Secretary of the Treasury may be necessary to reserve for the support of schools (b) within the same, and with exception also of the salt springs, and land reserved for the use of the same, (c) be offered for sale to the highest bidder at Wooster in the State of Ohio, under the direction of the register and receiver of the land office, and on such day or days as shall, by a public proclamation of the President of the United States, be designated for that purpose. The sale for the divided quarter-sections, fractional sections, and of the town lots and out-lots, shall remain open at Wooster for seven days, and no longer: The divided quarter-sections and fractional sections shall not be sold for less than two dollars an acre; the in-lots for less than twenty dollars each, nor any out-lot for less than at the rate of five dollars per acre; and shall in every other respect, be sold on the same terms and conditions as have been or may be provided by law for the lands sold north of the river Ohio, and above the mouth of Kentucky River. All the land other than what is excepted as above mentioned, remaining unsold at the closing of the public sales, may be disposed of at private sale by the register of the land office at Wooster, agreeably to the provisions of this act, and in the same manner, under the same regulations and conditions as are or may be provided by law, for the sale of the public lands of the United States north of the river Ohio, and above the mouth of Kentucky River, and patents shall be obtained for all lands granted or sold within the said cession, in the same manner and on the same terms as are or may be provided by law for land sold in the State of Ohio. The superintendents of the public sales directed by this section, shall receive four dollars each, for each day's attendance on the said sales. (d)

(a) See Nos. 11, 12, 13, 21, 23, 25, 32, 36, 37, 42, 65, 79, 81, 102, 119, 158.

(b) See Nos. 28, 31, 47, 79, 85, 102, 109, 110, 136, 144, 150, 156, 158, 167, 168, 179.

(c) See Nos. 11, 28, 73, 79, 105.

(d) See Nos. 11, 16, 21, 25, 29, 30, 32, 36, 39, 41, 43, 44, 47, 48, 52, 56, 59, 65, 79, 80, 81, 83, 84, 85, 87, 88, 90, 99, 102, 108, 111, 113, 126, 130, 132, 133, 145, 155, 158, 175, 185.

April 27, 1816.
Vol. 6, p. 169.

Final certificates to be received as evidence of payment for land.

NO. 77.—AN ACT for the relief of Samuel Dick, William Bruce and Asa Kitchel. *Be it enacted, &c.*, That the final certificate of Samuel Dick, issued on the thirteenth day of June, eighteen hundred and one, by the register of the land office in the Cincinnati district, for six hundred and forty acres of land; also the final certificate granted to Asa Kitchel, dated the twenty-eighth day of April, eighteen hundred and one, by the register aforesaid, for six hundred and twenty-eight acres of land; and also the final certificate granted to William Bruce, by the register afore-

said, for a section of land, dated about the same time, shall respectively be received by the Commissioner of the General Land Office, as complete evidence of payment for the tracts of land therein specified, and patents shall be issued thereon as in other cases.

No. 78.—AN ACT for the relief of Joseph S. Newall.

April 27, 1816.
Vol. 6, p. 170.

Be it enacted, &c., That Joseph S. Newall shall be permitted to withdraw an entry made at the land office at Canton, in the State of Ohio, from the northwest quarter of section number five, in township number twenty-one, of range number sixteen, in the district of land offered for sale at Canton, and the money paid on the said entry shall be placed to the credit of said Newall on any purchase he may make, or may have made of public lands in said district. Entry may be withdrawn, and payments transferred.

No. 79.—AN ACT providing for the sale of the tract of land, at the British fort at the Miami of the Lake, at the foot of the rapids, and for other purposes.

April 27, 1816.
Vol. 3, p. 319.

Be it enacted, &c., That so much of the tract of land of twelve miles square, at the "British fort of the Miami of the Lake, at the foot of the rapids," ceded by the Wyandots, Delawares, Shawanoes, Ottawas, Chipewas, Patawatamies, Miamis, Eel River, Weeas, Kickapoos, Piankshaws, and Kaskaskias tribes of Indians, to the United States, by the treaty of Greenville, of the third of August, one thousand seven hundred and ninety-five, shall, under the direction of the surveyor-general, be laid off into town lots, streets, and avenues, and into out-lots, in such manner and of such dimensions, as he may judge proper: *Provided,* The tract so to be laid off shall not exceed the quantity of land contained in two entire sections, nor the town lots one-quarter of an acre each. When the survey of the lots shall be completed, a plat thereof shall be returned to the surveyor-general, on which the town lots and out-lots shall, respectively, be designated, by progressive numbers, who shall cause two copies to be made, one to be transmitted, with a copy of the field-notes, to the Commissioner of the General Land Office, and the other to the register of the land office at Wooster. Tract of land to be laid off into lots by the surveyor-general.

Proviso.

SEC. 2. *And be it further enacted,* That previously to the disposal at public sale of the before-mentioned tract of land, the surveyor-general shall, and he is hereby directed, to resurvey and mark the exterior lines of the said tract, conformably to the survey made in December, one thousand eight hundred and five, by virtue of the act of the third of March, one thousand eight hundred and five, and also to cause divisional lines to be run through each section and fractional section binding on the said river, so that each subdivision may contain, as nearly as may be, one hundred and sixty acres each. And in like manner to cause the "Great Island," lying at the foot of the rapids, in the said river, to be surveyed, and by lines, running north and south, to divide the same, as nearly as may be, into six equal parts, that is to say, that part of the said island, described in the survey of the said cession, as lying in township number three, in four parts; and that part of the said island lying in township number four, into two parts: *Provided,* That in running the subdivisional lines no interference shall be made affecting or impairing the rights of persons to whom letters-patent have been granted for land lying within the limits of the said twelve miles square, nor affecting the selection or location hereafter to be made under the direction of the Secretary of War, for military purposes: *Provided, also,* That in no case shall the subdivisional lines be so run as to extend to, or embrace the bed of the river, which shall be deemed, and is hereby declared to be a public highway: *And-provided, also,* That the whole expense of resurveying and marking the exterior lines of the said cession and of the subdivisional lines of the sections, lying adjacent to the river, shall not exceed three dollars for every mile actually surveyed, resurveyed, and marked, by virtue of this and the preceding section. (a) Surveyor-general to cause the exterior lines of said tract to be run before the land is disposed of.

Proviso.

Proviso.

Proviso.

SEC. 3. *And be it further enacted,* That all the land contained within the aforesaid cession of twelve miles square, not excepted by virtue of any section of this act, shall, with the exception of number sixteen, which shall be reserved in each township, for the support of schools within the same, (b) and with the exception also of the salt springs and land reserved for the use of the same, (c) be offered for sale to the highest bidder, at Lands to be sold; when and where.

Wooster, in the State of Ohio, under the direction of the register and receiver of the land office, and on such day or days as shall, by a public proclamation of the President of the United States, be designated for that purpose. The sale for the quarter-sections, fractional quarter-sections, and of the town lots and out-lots, shall remain open at Wooster, for seven days and no longer. The quarter-sections and fractional quarter-sections, shall not be sold for less than two dollars an acre; the in-lots for less than twenty dollars each, nor any out-lot for less than at the rate of five dollars per acre; and shall, in every other respect, be sold on the same terms and conditions as have been, or may be, by law, provided for the lands sold north of the river Ohio, and above the mouth of Kentucky River. All the lands other than the reserved sections and those excepted as above mentioned, remaining unsold at the closing of the public sales, may be disposed of at private sale by the register of the land office, at Wooster, agreeably [to] the provisions of this act, and in the same manner, under the same regulations and conditions as are, or may be provided by law, for the sale of the lands of the United States, north of the Ohio River, and above the mouth of Kentucky River. And patents shall be obtained for all lands granted or sold within the said cession, in the same manner, and on the same terms, as are or may be provided by law for land sold in the State of Ohio. The superintendents of the public sales, directed by this section, shall receive four dollars each, for each day's attendance on the said sales. (d)

(a) See Nos. 11, 12, 13, 21, 23, 25, 32, 36, 37, 42, 63, 76, 81, 102, 119, 158.

(b) See Nos. 28, 31, 45, 47, 76, 85, 102, 109, 110, 136, 144, 150, 156, 158, 167, 168, 179.

(c) See Nos. 11, 22, 73, 76, 105.

(d) See Nos. 11, 16, 21, 25, 29, 30, 32, 36, 39, 41, 43, 44, 47, 48, 52, 56, 59, 65, 76, 80, 81, 83, 84, 85, 87, 88, 90, 99, 102, 108, 111, 113, 126, 130, 132, 133, 145, 155, 158, 175, 185.

April 29, 1816.
Vol. 3, p. 326.

No. 80.—AN ACT providing for the sale of certain lands in the State of Ohio, formerly set apart for refugees from Canada and Nova Scotia.

Certain lands set apart for Canadian and Nova Scotia refugees, not yet located, made a part of the land district of Chillicothe.

To be exposed to sale, and sold to the highest bidder.

Lands, undisposed of this way, to be sold by private bargains.

Be it enacted, &c., That such part of the tract of land which was set apart for refugees from Canada and Nova Scotia, by the act of Congress, passed the eighteenth day of February, one thousand eight hundred and one, entitled "An act regulating the grants of land appropriated for the refugees from the British provinces of Canada, and Nova Scotia," which has not been located by the said refugees, (a) shall be attached to, and made a part of the land district of Chillicothe, (b) and the said unlocated land shall be offered for sale to the highest bidder, under the direction of the register of the land office and of the receiver of public moneys for the said district, at Chillicothe, on such day as shall, by proclamation of the President of the United States, be designated for that purpose; the sale shall remain open six days, and no longer; the lands shall not be sold for less than two dollars an acre, and shall in every other respect be sold in tracts of the same size, and on the same terms and conditions as have been or may be provided for lands in the said district. All the said unlocated land, remaining unsold at the close of the public sales, may be disposed of at private sale by the register of the said land office, in the same manner, under the same regulations, for the same price, and on the same terms as are or may be provided by law for the sale of lands in the said district; and patents shall be obtained in the same manner, and on the same terms, as for other public lands in the said district. (c)

SEC. 2. *And be it further enacted*, That the superintendents of the public sales directed by this act shall each receive four dollars a day for each day's attendance on the said sales.

(a) See Nos. 23, 33, 33a, 50a, 55.

(b) See Nos. 21, 25, 29, 30, 32, 35, 39, 41, 44, 47, 52, 59, 65, 76, 79, 81, 85, 88, 90, 99, 104, 132, 140, 158, 189.

(c) See Nos. 11, 16, 21, 25, 29, 30, 32, 36, 39, 41, 43, 44, 47, 48, 52, 56, 59, 65, 76, 79, 81, 83, 84, 85, 87, 88, 90, 99, 102, 108, 111, 113, 126, 130, 132, 133, 145, 155, 158, 175, 185.

March 18, 1818.
Vol. 3, p. 409.

No. 81.—AN ACT providing for the sale of certain lands in the district of Marietta, and for the location of claims and sale of certain lands in the district of Vincennes.

The surveyor-general to require Rufus Putman, &c., to make a report of lands conveyed, &c.

Be it enacted, &c., That for the purpose of ascertaining the quantity, and providing for the sale of the lands belonging to the United States, within the limits of a tract of one hundred thousand acres granted to Rufus Putman, Manassah Cutler, Robert Oliver and Griffin Green, in trust for the persons composing the Ohio Company of Associates, in pursuance of the third section of an act, entitled "An act authorizing

the grant and conveyance of certain lands to the Ohio Company of Associates," passed on the twenty-first of April, seventeen hundred and ninety-two, it shall be the duty of the surveyor-general, and he is hereby authorized, to require of the said Rufus Putman and other surviving patentees, in trust as aforesaid, to make a report to him of the quantity and situation of the lands by them conveyed, as bounties, to actual settlers, according to the conditions of the said third section and grant aforesaid; and also, a duly attested copy of the field-notes and plat of the surveys of the lands by them conveyed to actual settlers as aforesaid. (a) And the surveyor-general, on receiving a satisfactory report of the quantity and situation of the lands so conveyed, shall cause the residue of the lands within the said tract to be surveyed in the same manner as the other public lands; or, if he shall deem it more convenient, into tracts of one hundred acres, conforming, as far as practicable, to the plan on which lots granted to actual settlers were laid off; and he shall make return of the surveys to the General Land Office and the register of the land office at Marietta. (b)

Copy of field-notes, and plat of surveys.

Surveyor-general to cause the residue of the lands to be surveyed, &c.

Return of surveys to the General Land Office, &c.

SEC. 2. *And be it further enacted*, That every person, or their legal representatives, whose claims were confirmed by any of the several acts for confirming claims to land in the district of Vincennes and which claims have not been located, shall be authorized to enter their locations with the register of the land office at Vincennes, on any part of the tract set apart for that purpose in the said district, by virtue of an act, entitled "An act respecting claims to land in the Indiana Territory and State of Ohio," and in conformity to the provision of that act, and shall be entitled to receive certificates and patents in the same manner as provided by former laws respecting locations in the same tract: *Provided*, That the locations authorized by this act, and those authorized by an act, entitled "An act for the relief of certain claimants to land in the district of Vincennes," passed on the sixteenth of April, one thousand eight hundred and sixteen, shall be made before the first day of September next; and, after the said locations shall have been made and the surveys thereon completed, the surveyor-general shall cause the residue of the said tract to be surveyed, conforming, as far as practicable, to the plan for surveying the other public lands, and he shall make a return of the surveys, to the General Land Office, and to the register of the land office at Vincennes.

Confirmed claims to land in the district of Vincennes, may be located on the tract set apart, &c.

Proviso; locations to be made before 1st Sept., 1818.

Residue of tract to be surveyed.

Return of surveys, &c.

SEC. 3. *And be it further enacted*, That such part of the tract, described by the first section of this act, as shall appear to belong to the United States, shall be offered for sale at Marietta, (c) and such part of the tract described by the second section of this act, as shall not have been located under confirmed claims, shall be offered for sale at Vincennes. The said lands, in the said respective tracts, with the exception of the usual proportion for the support of schools, shall be offered for sale to the highest bidder, under the direction of the register of the land office and the receiver of public moneys for the said districts, on such days, respectively, as shall, by proclamation of the President, be designated for that purpose; the sales at each place shall remain open six days, and no longer; the lands shall not be sold for less than two dollars an acre; and shall, in every other respect, both as to public and private sales, be sold on the same terms and conditions as other public lands in the same districts; and patents shall be obtained in the manner, and on the terms, provided in case of other public lands sold by the United States. (d)

Part of one tract to be sold at Marietta; and part of the other at Vincennes to the highest bidder, &c.

Days of sale.

Sales open six days.

Price.

Patents.

SEC. 4. *And be it further enacted*, That the superintendents of the public sales, directed by this act, shall each receive four dollars a day for each day's attendance on the said sales.

Four dollars a day to superintendents.

(a) See Nos. 5, 133.

(b) See Nos. 11, 12, 13, 21, 23, 25, 32, 36, 37, 42, 65, 76, 79, 102, 119, 158.

(c) See Nos. 21, 25, 29, 30, 32, 35, 39, 41, 44, 47, 52, 59, 65, 76, 79, 80, 85, 88, 90, 99, 104, 132, 140, 158, 189.

(d) See Nos. 11, 16, 21, 25, 29, 30, 32, 36, 39, 41, 43, 44, 47, 48, 52, 56, 59, 65, 76, 79, 80, 83, 84, 85, 87, 88, 90, 99, 102, 108, 111, 113, 126, 130, 132, 133, 145, 155, 158, 175, 185.

April 11, 1818.
Vol. 3, p. 423.

Officers and soldiers of the Virginia line entitled to bounty lands, allowed two years from the ratification of any treaty extinguishing Indian titles, &c., to obtain warrants, &c.

And three years to return their surveys, &c.

The act authorizing patents to issue for lands surveyed in virtue of Virginia resolution warrants, revived, &c., except, &c.

Proviso: no location on tracts for which patents had previously issued or which had been surveyed, &c.

Proviso: no locations or surveys within that part of the military tract, &c.

The line designated by the act of the 23d of March, 1804, to remain the westerly boundary line of the Virginia tract, until otherwise directed by law.

The line run by Charles Roberts to be considered the westerly boundary.

Patents for locations.

No. 82.—AN ACT to extend the time for locating Virginia military land-warrants, and returning surveys thereon to the General Land Office; and for designating the western boundary line of the Virginia military tract.

Be it enacted, &c., That the officers and soldiers of the Virginia line on continental establishment, their heirs, and assigns, entitled to bounty lands, within the Virginia military tract, between the Little Miami and the Sciota rivers, shall be allowed a further term of two years, from the ratification of any treaty extinguishing the Indian title to lands within the said boundaries not heretofore extinguished, to obtain warrants and complete their locations; and a further term of three years, from the ratification of any treaty extinguishing the Indian title to lands within the said boundaries not heretofore extinguished, as aforesaid, to return their surveys and warrants, or certified copies of warrants, to the General Land Office; any thing in any former act to the contrary notwithstanding.

SEC. 2. *And be it further enacted,* That the provisions of the act, entitled "An act authorizing patents to issue for lands located and surveyed by virtue of certain Virginia resolution warrants," passed on the third day of March, one thousand eight hundred and seven, shall be revived and in force, with all its restrictions, except that the respective times allowed for making locations and returning surveys thereon, shall be limited to the terms prescribed by the first section of this act for the location and return of surveys on other warrants, and that the surveys shall be returned to the General Land Office: *Provided,* That no locations, as aforesaid, in virtue of this, or the preceding, section of this act, shall be made on tracts of lands for which patents had previously been issued, or which had been previously surveyed; and any patent which may, nevertheless, be obtained for land located contrary to the provisions of this act, shall be considered null and void: *Provided also,* That no locations or surveys shall be made within that part of the said military tract to which the Indian title remained heretofore unextinguished, until after six months shall have elapsed from the date of a proclamation of the President of the United States, declaring a treaty or treaties to have been concluded and ratified, providing for the extinguishment of the Indian title to such lands; nor shall any patent be granted for any location, survey, or entry, that has been, or shall be, made prior to the expiration of six months from and after the ratification of such treaty.

SEC. 3. *And be it further enacted,* That from the source of the Little Miami River to the Indian boundary line established by the treaty of Greenville, in one thousand seven hundred and ninety-five, the line designated as the westerly boundary line of the Virginia tract, by an act of Congress, passed on the twenty-third day of March, one thousand eight hundred and four, entitled "An act to ascertain the boundary of the lands reserved by the State of Virginia northwest of the river Ohio, for the satisfaction of her officers and soldiers on continental establishment, and to limit the period for locating the said lands." shall be considered and held to be such until otherwise directed by law: And from the aforesaid Indian boundary line to the source of the Sciota River, the line run by Charles Roberts, in one thousand eight hundred and twelve, in pursuance of instructions from the commissioners appointed on the part of the United States, to establish the western boundary of the said military tract, shall be considered and held to be the westerly boundary line thereof; and that no patent shall be granted on any location and survey that has or may be made west of the aforesaid respective lines. (a)

(a) See Nos. 1, 8, 22, 27, 32, 35, 45, 46, 51, 58, 64, 66, 93, 98, 112, 119, 121, 128, 146, 154, 159, 166, 172, 174, 177, 180, 183, 184, 187, 190.

April 18, 1818.
Vol. 3, p. 433.

No. 83.—AN ACT to suspend for a limited time, the sale or forfeiture of lands for failure in completing the payment thereon.

Operation of 6th condition of sec. 5 of act of May 10, 1800, ch. 55, suspended until March 31, 1818.

Be it enacted, &c., That the operation of the sixth condition of the fifth section of the act, entitled "An act to amend the act, entitled 'An act providing for the sale of the lands of the United States northwest of the Ohio and above the mouth of Kentucky River,'" be, and the same is hereby, suspended until the thirty-first day of March next, in favour of the purchasers of public lands at any of the land offices of the United States: *Pro-*

ruled, That the benefit of this act shall not be extended to any one purchaser for a greater quantity than six hundred and forty acres of land. (a)

(a) See Nos. 11, 16, 21, 25, 29, 30, 32, 36, 39, 41, 43, 44, 47, 48, 52, 56, 59, 65, 76, 79, 80, 81, 84, 85, 87, 88, 90, 99, 102, 108, 111, 113, 126, 130, 132, 133, 145, 155, 158, 175, 185.

No. 84.—AN ACT further to suspend, for a limited time, the sale or forfeiture of lands for failure in completing the payment thereon.

March 3, 1819.
Vol. 3, p. 509.

Be it enacted, &c., That the operation of the sixth condition of the fifth section of the act, entitled "An act to amend the act entitled 'An act providing for the sale of the lands of the United States northwest of the Ohio, and above the mouth of Kentucky River,'" be, and the same is hereby, suspended until the thirty-first day of March, one thousand eight hundred and twenty, in favour of the purchasers of public lands at any of the land offices of the United States: *Provided*, That the benefit of this act shall not be extended to any one purchaser for a greater quantity than six hundred and forty acres of land. (a)

The operation of the 6th condition of the 5th section of the act for the sale of lands, &c., suspended until March 31, 1820, in favor of purchasers.

(a) See Nos. 11, 16, 21, 25, 29, 30, 32, 36, 39, 41, 43, 44, 47, 48, 52, 56, 59, 65, 76, 79, 80, 81, 83, 85, 87, 88, 90, 99, 102, 108, 111, 113, 126, 130, 132, 133, 145, 155, 158, 175, 185.

No. 85.—AN ACT to designate the boundaries of districts, and establish land offices for the disposal of the public lands not heretofore offered for sale in the States of Ohio and Indiana.

March 3, 1819.
Vol. 3, p. 521.

Be it enacted, &c., That for the sale of the unappropriated public lands in the State of Ohio, to which the Indian title is extinguished, the following districts shall be formed, and land offices therefor established: All the public lands, as aforesaid, lying between the western boundary line of the State of Ohio, and a north and south line to be drawn at forty-eight miles east of the said boundary line, and bounded on the south by the Indian boundary, established by the treaty of Greenville, and on the north by the northern boundary of the State of Ohio, shall form a district, for which a land office shall be established at Piqua: And all the public lands, as aforesaid, lying between the above-described district and the western limits of the Connecticut Reserve and Canton land district as first established, and bounded on the south by the Indian boundary established by the treaty of Greenville, and on the north by the northern boundary of the State of Ohio, shall form a district for which a land office shall be established at the town of Delaware. (a) And for the disposal of the unappropriated public lands in the State of Indiana, to which the Indian title is extinguished, the following districts shall be formed, and land offices established: All the public lands as aforesaid, to which the Indian title was extinguished by the treaties concluded at St. Mary's, in the month of October, eighteen hundred and eighteen, lying east of the range line, separating the first and second ranges, east of the second principal meridian, extended north to the present Indian boundary, and north of a line to be run, separating the ninth and tenth tiers of townships north of the base line, shall form a district, for which a land office shall be established at Brookville: And all the public lands as aforesaid, the Indian title to which was extinguished by the treaties aforesaid, and lying west of the last-described district, shall form a district for which a land office shall be established at the town of Terre Haute: And all the public lands, as aforesaid, the Indian title to which was extinguished by the treaties aforesaid, lying east of the second principal meridian, and south of a line, to be run, separating the ninth and tenth tiers of townships north of the base line, shall be, and are hereby, attached to the district of Jeffersonville; and the said lands shall be offered for sale with the same exceptions, and on the terms and conditions, in every respect, both at public and private sales, as is provided for the sale of the lands in the districts aforesaid: *Provided also*, That the President of the United States shall have power, and he is hereby authorized, to remove, whenever he shall judge it expedient so to do, the land office from Jeffersonville, to some central and suitable place within the district.

Districts and offices for the sale of lands to which the Indian title is extinguished, in Ohio.

District and land office at Piqua.

District and land office at Delaware.

Districts and offices for the sale of lands to which the Indian title is extinguished, in Indiana.

A district, and land office at Brookville; and at Terre Haute.

Lands attached to the district of Jeffersonville.

Lands to be offered for sale on the same terms, &c.

SEC. 2. *And be it further enacted*, That the President is hereby authorized to appoint, by and with the consent and advice of the Senate, for each of the districts aforesaid, a register of the land office and receiver of public moneys; which appointments shall not be made, for any of the aforesaid respective land districts, until a sufficient quantity of public lands shall have been surveyed within such district, as to authorize, in the opinion of the President, a public sale of land within the same:

The President, &c. authorized to appoint a register and receiver for each district.

which registers of the land office and receivers of public moneys, when appointed, shall each, respectively, give security, in the same sums, and in the same manner, and whose compensation, emoluments, and duties, and authority, shall, in every respect, be the same, in respect to the lands which shall be disposed of at their offices, as are or may be provided by law in relation to the registers and receivers of public moneys in the several land offices, established for the disposal of the public lands of the United States, in the States of Ohio and Indiana.

All the public lands to which the Indian title has been extinguished, to be offered for sale.

Under the direction of the register and receiver.

Sales open for three weeks.

Not less than two dollars an acre.

Lands remaining unsold may be sold at private sale.

Patents, in the same manner, &c.

The President may remove any of the land offices, &c.

Compensation to each register and receiver.

SEC. 3. *And be it further enacted*, That all the public lands within the aforesaid several districts, to which the Indian title has been extinguished, and which have not been granted to, or reserved for, the use of any individual or individuals, or appropriated and reserved for any other purpose, by any existing treaties or laws, and, with the exception of section numbered sixteen, in each township, which shall be reserved for the support of schools therein, (b) shall be offered for sale, to the highest bidder, at the land offices for the respective districts, under the direction of the register of the land office and receiver of public moneys, on such day or days as shall, by proclamation of the President of the United States, be designated for that purpose: the sales shall remain open at each place for three weeks, and no longer; the lands shall not be sold for less than two dollars an acre; and shall, in every other respect, be sold in tracts of the same size, on the same terms and conditions as have been, or may be, by law, provided for the sale of the lands of the United States in the States of Ohio and Indiana. All the public lands in the said districts, with these exceptions above mentioned, remaining unsold at the close of the public sales, may be disposed of at private sale, by the register of the respective land offices, in the same manner, under the same regulations, for the same price, and on the same terms and conditions, in every respect, as are or may be provided by law for the sale of the lands of the United States in the States of Ohio and Indiana: And patents shall be obtained, for the lands sold in the said districts, in the same manner, and on the same terms, as are or may be by law provided for other public lands sold in the States of Ohio and Indiana. (c)

SEC. 4. *And be it further enacted*, That the President of the United States shall have power, and he is hereby authorized, to remove, whenever he shall judge it expedient so to do, any and each of the land offices established by this act, to such suitable place, within the district for which it was established, as he shall judge most proper. (a)

SEC. 5. *And be it further enacted*, That each of the registers of the land office, and receivers of public moneys, shall receive five dollars for each day's attendance in superintending the public sales in their respective districts.

(a) See Nos. 21, 25, 29, 30, 32, 35, 39, 41, 44, 47, 52, 59, 65, 76, 79, 80, 81, 88, 90, 99, 104, 132, 140, 152, 189.

(b) See Nos. 28, 31, 45, 47, 76, 79, 103, 109, 110, 136, 144, 150, 156, 158, 167, 168, 179.

(c) See Nos. 11, 16, 21, 25, 29, 30, 32, 36, 39, 41, 43, 44, 47, 48, 52, 56, 59, 65, 76, 79, 80, 81, 83, 84, 87, 88, 90, 99, 102, 108, 111, 113, 126, 130, 132, 133, 145, 155, 158, 175, 185.

Feb. 18, 1890.
Vol. 6, p. 237.

No. 86.—AN ACT for the relief of the heirs of Anthony Burk.

Be it enacted, &c., That the heirs of Anthony Burk be authorized to enter, within twelve months from the passage of this act, with the register of the land office at Chillicothe, without payment, two quarter-sections, within the boundaries of the district of Chillicothe.

March 30, 1890.
Vol. 3, p. 535.

No. 87.—AN ACT further to suspend, for a limited time, the sale or forfeiture of lands, for failure in completing the payment thereon.

Be it enacted, &c., That the operation of the sixth condition of the fifth section of the act entitled "An act to amend the act entitled "An act providing for the sale of the lands of the United States northwest of the Ohio, and above the mouth of Kentucky River," be, and the same is hereby suspended until the thirty-first day of March, one thousand eight hundred and twenty-one, in favour of the purchasers of public lands, at any of the land offices of the United States: *Provided*, That the benefit of this act shall not be extended to any one purchaser for a greater quantity than six hundred and forty acres. (a)

Proviso; benefit limited to purchasers within 640 acres.

(a) See Nos. 11, 16, 21, 25, 29, 30, 32, 36, 39, 41, 43, 44, 47, 48, 52, 56, 59, 65, 76, 79, 80, 81, 83, 84, 85, 88, 90, 99, 102, 108, 111, 113, 126, 130, 132, 133, 145, 155, 158, 175, 185.

No. 88.—AN ACT making further provision for the sale of the public lands.

April 24, 1820.
Vol. 3, p. 566.

SEC. 3. *And be it further enacted*, That from and after the first day of July next, the price at which the public lands shall be offered for sale, shall be one dollar and twenty-five cents an acre; and at every public sale, the highest bidder, who shall make payment as aforesaid, shall be the purchaser; but no land shall be sold, either at public or private sale, for a less price than one dollar and twenty-five cents an acre; and all the public lands which shall have been offered at public sale before the first day of July next, and which shall then remain unsold, as well as the lands that shall thereafter be offered at public sale, according to law, and remain unsold at the close of such public sales, shall be subject to be sold at private sale, by entry at the land office, at one dollar and twenty-five cents an acre, to be paid at the time of making such entry as aforesaid; with the exception, however, of the lands which may have reverted to the United States, for failure in payment, and of the heretofore reserved sections for the future disposal of Congress, in the States of Ohio and Indiana, which shall be offered at public sale, as hereinafter directed.

Price of lands
\$1.25 per acre
after 1st July,
1820.No sales for
less than \$1.25
per acre.Lands offered
at public sales,
and unsold, sub-
ject to private
sale, at \$1.25 per
acre.

Exceptions.

SEC. 4. *And be it further enacted*, That no lands which have reverted, or which shall hereafter revert, and become forfeited to the United States for failure in any manner to make payment, shall, after the first day of July next, be subject to entry at private sale, nor until the same shall have been first offered to the highest bidder at public sale; and all such lands which shall have reverted before the said first day of July next, and which shall then belong to the United States, together with the sections, and parts of sections, heretofore reserved for the future disposal of Congress, which shall, at the time aforesaid, remain unsold, shall be offered at public sale to the highest bidder, who shall make payment therefor, in half quarter-sections, at the land office for the respective districts, on such day or days as shall, by proclamation of the President of the United States, be designated for that purpose; and all lands which shall revert and become forfeited for failure of payment after the said first day of July next, shall be offered in like manner at public sale, at such time, or times, as the President shall by his proclamation designate for the purpose: *Provided*, That no such lands shall be sold at any public sales hereby authorized, for a less price than one dollar and twenty-five cents an acre, nor on any other terms than that of cash payment; and all the lands offered at such public sales, and which shall remain unsold at the close thereof, shall be subject to entry at private sale, in the same manner, and at the same price with the other lands sold at private sale, at the respective land offices. (a)

Lands revert-
ed, &c., to be of-
fered at public
before private
sales.Sale of lands re-
verted, &c., be-
fore the 1st July,
1820, and re-
served sections.Sale of lands
reverting, &c., af-
ter 1st July, 1820.All lands un-
sold at public
may be entered
at private sale.

SEC. 5. *And be it further enacted*, That the several public sales authorized by this act, shall, respectively, be kept open for two weeks, and no longer; and the registers of the land office and the receivers of public money shall, each, respectively, be entitled to five dollars for each day's attendance thereon.

Public sales for
two weeks

SEC. 6. *And be it further enacted*, That, in every case hereafter, where two or more persons shall apply for the purchase, at private sale, of the same tract, at the same time, the register shall determine the preference, by forthwith offering the tract to the highest bidder. (b)

Preference to
be given to the
highest bidder.

(a) See Nos. 11, 18, 21, 29, 30, 32, 39, 41, 43, 44, 47, 48, 52, 56, 59, 65, 76, 79, 80, 81, 83, 84, 85, 87, 90, 99, 102, 108, 111, 113, 126, 130, 132, 133, 145, 155, 158, 175, 185.

(b) See Nos. 21, 25, 29, 30, 32, 35, 39, 41, 44, 47, 52, 59, 65, 76, 79, 80, 81, 85, 90, 99, 104, 132, 140, 158, 189.

No. 89.—AN ACT for the relief of John B. Regnier.

May 2, 1820.
Vol. 6, p. 242.

Be it enacted, &c., That John B. Regnier, of Ohio, be, and he hereby is, authorized to locate, in the Marietta district, any unappropriated quarter-section of land which has been offered for sale by the United States; and, whenever the said Regnier shall have entered such quarter-section with the register of the land office of the said district, it shall be the duty of the said register to give to him a certificate, describing the quarter-section so entered; on the presentation of which to the Commissioner of the General Land Office, a patent shall issue to the said Regnier, for the aforesaid quarter-section of land.

Authorized to
enter a quarter-
section of land,
&c.

May 11, 1820.
Vol. 3, p. 575.

No. 90.—AN ACT authorizing the sale of thirteen sections of land, lying within the land district of Canton, in the State of Ohio.

Land in the district of Canton, reserved by act of March 3d, 1807, and subsequently ceded, &c., to be offered for sale at Wooster, &c.

Be it enacted, &c., That the thirteen sections of land lying within the land district of Canton, (a) in the State of Ohio, which were reserved for the use of certain persons of the Delaware tribe of Indians, by an act of Congress, passed on the third day of March, one thousand eight hundred and seven, and were subsequently ceded to the United [States] by the eighteenth article of the treaty concluded on the twenty-ninth day of September, one thousand eight hundred and seventeen, shall be offered to public sale, by the register and receiver of the public moneys at the land office at Wooster, on such day, or days, as the President shall designate for that purpose, in the same manner, and on the same conditions and terms, as are provided by law for the sale of the public lands of the United States. (b)

(a) See Nos. 21, 25, 29, 30, 32, 35, 39, 41, 44, 47, 52, 59, 65, 76, 79, 80, 81, 85, 88, 99, 104, 122, 140, 158, 189.

(b) See Nos. 11, 16, 21, 25, 29, 30, 32, 36, 39, 41, 43, 44, 47, 48, 52, 56, 59, 65, 76, 79, 80, 81, 83, 84, 85, 87, 88, 99, 102, 108, 111, 113, 126, 130, 132, 133, 145, 155, 158, 175, 185.

May 15, 1820.
Vol. 3, p. 604.

No. 91.—AN ACT to authorize the appointment of commissioners to lay out the road therein mentioned.

The President is hereby authorized to appoint three commissioners, not citizens of Ohio, Indiana, or Illinois, to examine the country between Wheeling and a point on the Mississippi, &c., and lay out a road.

Surveyors, chain-bearers, &c.

Lands for the road reserved from sales.

Road to be 80 feet wide, &c.

A plan of the road to be made out.

Roads to be divided into sections, with notice of materials for making each, and expense.

Commissioners, &c., to take an oath.

Compensation.

Proviso.

Whereas, by the continuation of the Cumberland road from Wheeling in the State of Virginia, through the States of Ohio, Indiana, and Illinois, the lands of the United States may become more valuable—

Be it enacted, &c., That the President of the United States be, and he is hereby, authorized to appoint three impartial and judicious persons, not being citizens of any of the States aforesaid, to be commissioners, and, in case of the death or resignation of any of them, to appoint other and like persons in their place, who shall have power carefully to examine the country, between Wheeling, in the State of Virginia, and a point on the left bank of the Mississippi River, to be chosen by said commissioners, between St. Louis and the mouth of the Illinois River, and to lay out a road from Wheeling aforesaid, to the point so to be chosen on the left bank of the river Mississippi; the said road to be on a straight line, or as nearly so as, having a due regard to the condition and situation of the ground and water-courses over which the same shall be laid out, shall be deemed expedient and practicable. And said commissioners shall have power to employ able surveyors, chain-bearers, and other necessary assistants, in laying out said road; and so much of the lands of the United States as may be included within the same, shall be, and is hereby, reserved and excepted from the sales of the public lands. The said road to be eighty feet wide, and designated by marked trees, stakes, or other conspicuous monuments, at the distance of every quarter of a mile, and at every angle of deviation from a straight line. And the said commissioners shall cause to be made, and delivered to the President of the United States, an accurate plan of said road, so laid out by them as aforesaid, with a written report of their proceedings, describing therein the State lines crossed, and the marks, monuments, courses, and distances, by which the said road shall be designated; describing also, the water-courses, and the nature and quality of the ground over which the same shall be laid out; they shall, moreover, divide said road into sections of not more than ten, nor less than five, miles long, noticing the materials that may be used in making, and giving an estimate of the expense of making, each section of the road aforesaid.

SEC. 2. *And be it further enacted,* That the commissioners, surveyors, chain-bearers, and other necessary assistants, to be appointed in pursuance of this act, shall severally take an oath, or affirmation, faithfully and diligently to perform their respective duties, and shall receive, in full compensation for their services and expenses, each commissioner six dollars, each surveyor three dollars, and each other necessary assistant one dollar, for each day in which they shall be necessarily employed in the service aforesaid: *Provided always, and it is hereby enacted and declared,* That nothing in this act contained, or that shall be done, in pursuance thereof, shall be deemed or construed to imply any obligation on the part of the United States to make, or to defray the expense of making, the road hereby authorized to be laid out, or of any part thereof.

SEC. 3. *And be it further enacted,* That ten thousand dollars, to be paid out of any money in the Treasury not otherwise appropriated, be, and are hereby, appropriated to defray the expense of laying out the road aforesaid. Appropriation of \$10,000 for laying out the road.

No. 92.—AN ACT granting to the State of Ohio the right of pre-emption to certain quarter-sections of land.

May 15, 1820.
Vol. 3, p. 607.

Be it enacted, &c., That there be granted to the State of Ohio, at the minimum price for which the public lands are sold, the right of pre-emption to one quarter-section, in or near the centre of each county, included in the purchase recently made of the Indians, by the treaty concluded at St. Mary's, on the twentieth day of September, one thousand eight hundred and eighteen, for the establishment of a seat of justice in the said counties: *Provided,* The purchase be made before the commencement of the public sales: *And provided also,* That the proceeds of the sale of each quarter-section, which may be made under the authority of the State of Ohio, shall be appropriated for the purpose of erecting public buildings in said counties, respectively, after deducting therefrom the sums originally paid by the State aforesaid: *And provided further,* That the seat of justice for said counties, respectively, shall be fixed on the lands so selected. Right of pre-emption at minimum price, to one quarter-section, in the centre of each county, in the purchase by the Indian treaty of St. Mary's, granted to Ohio, for a seat of justice.

Proviso.

No. 93.—AN ACT to extend the time for locating Virginia military land-warrants, and returning surveys thereon to the General Land Office.

Feb. 9, 1821.
Vol. 3, p. 612.

Be it enacted, &c., That the officers and soldiers of the Virginia line on continental establishment, their heirs or assigns, entitled to bounty lands within the tract of country reserved by the State of Virginia, between the Little Miami and Sciota rivers, shall be allowed a further time of two years, from the fourth day of January, one thousand eight hundred and twenty-one, to obtain warrants and complete their locations, and the further time of four years, from the fourth day of January, one thousand eight hundred and twenty-two, to return their surveys and warrants, or certified copies of warrants, to the General Land Office, to obtain patents. Time allowed until Jan. 4th 1823, to obtain warrants and complete locations; and until 4th Jan., 1826, to return surveys and warrants to procure patents.

SEC. 2. *And be it further enacted,* That the provisions of the act, entitled "An act authorizing patents to issue for lands located and surveyed by virtue of certain Virginia resolution warrants," passed the third day of March, one thousand eight hundred and seven, shall be revived and in force, with all its restrictions, except that the respective times allowed for making locations, and returning surveys thereon, shall be limited to the terms prescribed by the first section of this act, for the location and return of surveys on other warrants, and that the surveys shall be returned to the General Land Office: *Provided,* That no locations as aforesaid, in virtue of this or the preceding section of this act, shall be made on tracts of land for which patents had previously been issued, or which had been previously surveyed; and any patent which may, nevertheless, be obtained for land located contrary to the provisions of this act, shall be considered null and void. (a) The provisions of the act of 3d March, 1807, revived, with limitation, as to time, as in the preceding section, &c.

Proviso; no location on tracts previously patented or surveyed.

(a) See Nos. 1, 8, 22, 27, 32, 35, 45, 46, 51, 58, 64, 66, 82, 98, 112, 119, 121, 128, 146, 154, 159, 166, 172, 174, 177, 180, 183, 184, 187, 190.

No. 94.—AN ACT for the relief of Benjamin Stephenson.

May 7, 1822.
Vol. 6, p. 269.

Be it enacted, &c., That Benjamin Stephenson, of the State of Illinois, be, and is hereby, authorized to locate four hundred and ninety-five acres of any of the unappropriated lands lying within the military reserve, between the rivers Sciota and Little Miami, in the State of Ohio, which shall be in full satisfaction of the claim of the said Benjamin Stephenson, as the legal representative of George Hite, to whom the same quantity of land was, on the fourteenth day of September, seventeen hundred and eighty-seven, patented by the State of Virginia, for his services in the Virginia continental line during the revolutionary war, and which was transferred to the said Benjamin Stephenson by a regular deed of conveyance from the said George Hite, and of which he was afterwards evicted by virtue of a prior grant of the same land; and the said Benjamin Stephenson, or his legal representatives, shall obtain a patent therefor, in the manner prescribed by law for issuing patents upon warrants located within the said reserve. Authorized to locate 495 acres of any unappropriated lands lying within the military reserve, in full satisfaction of his claim, &c.

May 7, 1822.
Vol. 6, p. 276.

The right to unsold town lots, &c., in Perrysburgh and Croghansville, vested in the commissioners of Wood and Sandusky Counties, &c.

No. 95.—AN ACT vesting in the commissioners of the counties of Wood and Sandusky, the right to certain lots in the towns of Perrysburgh and Croghansville, in the State of Ohio, for county purposes.

Be it enacted, &c., That the right to all the unsold town lots and out-lots in the town of Perrysburgh be, and the same is hereby, vested in the commissioners of Wood County, in the State of Ohio; and the right to all the unsold town lots and out-lots in the town of Croghansville be, and the same is hereby, vested in the commissioners of Sandusky County, in said State; on condition that said commissioners shall permanently locate the seat of justice for their respective counties at said towns; and that the nett proceeds of the sales of so many of said lots as are necessary to be retained for the purpose of erecting public buildings thereon, be applied to the erection and improvement of the public buildings and squares in said towns respectively. (a)

(a) See Nos. 155, 163, 186.

May 7, 1822.
Vol. 6, p. 276.

Patent for land to be issued to him.

No. 96.—AN ACT for the relief of Samuel Ewings.

Be it enacted, &c., That the Secretary of the Treasury cause to be issued to Samuel Ewings, or his legal representatives, upon application, a patent for five hundred acres of land, situated on the Miami of the Lake, it being the same tract which was confirmed to him under an act, entitled "An act regulating the grants of land in the Territory of Michigan," passed the third of March, one thousand eight hundred and seven: and for which he holds the register's certificate, numbered five hundred and seventy-eight. (a)

(a) See No. 149.

Feb. 28, 1823.
Vol. 3, p. 727.

Road from the lower rapids of the Miami of Lake Erie, to Connecticut western reserve.

No. 97.—AN ACT for laying out and making a road, from the lower rapids of the Miami of Lake Erie to the western boundary of the Connecticut Western Reserve, in the State of Ohio, agreeable to the provisions of the treaty of Brownstown.

Be it enacted, &c., That the State of Ohio is hereby authorized to lay out, open, and construct, a road, from the lower rapids of the Miami of Lake Erie, to the western boundary of the Connecticut Western Reserve, in such manner as the legislature of said State may by law provide, with the approbation of the President of the United States; which road, when constructed, shall forever remain a public highway.

Land granted for the road, and expenses.

SEC. 2. *And be it further enacted,* That, in order to enable the State of Ohio to open and construct said road, a tract of land, one hundred and twenty feet wide, whereon to locate the same, together with a quantity of land equal to one mile on each side thereof, and adjoining thereto, to be bounded by sectional lines as run by the United States, to defray the expenses of making the said road, is hereby granted to said State; to commence at the Miami rapids, and terminate at the western boundary of the Connecticut Western Reserve, with full power and authority to sell and convey the same, and apply the proceeds to the making of said road: and in case the said tract of land shall sell for a greater sum than shall be sufficient to complete such road, then the residue thereof shall remain with the State of Ohio, as a fund for the purpose of keeping said road in repair: *Provided,* That said road shall be made within the term of four years from the passage of this act: *And provided,* None of the land hereby appropriated for making said road shall be sold for a less price than one dollar and twenty-five cents per acre.

Proviso.
Proviso.

Lands sold to be paid for at a minimum price.

SEC. 3. *And be it further enacted,* That, in case any of the lands, through which it may be thought expedient to open said road, may have been previously sold by the United States, the Secretary of the Treasury is hereby directed to pay such officer as the State of Ohio may appoint for that purpose, the net proceeds of the sales of the quantity thus sold at a minimum price.

When the governor of Ohio shall produce a survey, and an act of the State shall accept the trust, the President shall stop the sale of land.

SEC. 4. *And be it further enacted,* That, whenever the governor of the State of Ohio shall have laid before the President of the United States a survey of the location of said road, accompanied by an act of said State accepting said trust, and providing for making said road within the time above limited, and the President shall have approved the same, then the right of the State to said tract of land shall be considered as complete for the purposes aforesaid; and the President shall direct, that, until the first day of June, one thousand eight hundred and twenty-three, none of the public lands shall be sold within three miles on each side of a line, to be drawn direct from the foot of the rapids of the

Miami of Lake Erie to the lower rapids of Sandusky, thence to the western boundary of the Connecticut Western Reserve: *Provided*, That nothing in this act contained, shall ever hereafter be construed to imply any obligation upon the United States to grant additional lands, or further aids of any sort, towards the opening, making, or keeping in repair, of the road aforesaid. (a)

Proviso.

(a) See Nos. 53, 72, 147, 163.

No. 98.—AN ACT extending the time for locating Virginia military land-warrants, and returning surveys thereon to the General Land Office.

March 1, 1823.
Vol. 3, p. 772.

Be it enacted, &c., That the officers and soldiers of the Virginia line, on the continental establishment, their heirs or assigns, entitled to bounty lands within the country reserved by the State of Virginia, between the Little Miami and Scioto rivers, shall be allowed a further time of two years, from the fourth day of January, one thousand eight hundred and twenty-three, to obtain warrants, and to complete their locations; and the further time of four years, from the fourth day of January, one thousand eight hundred and twenty-three, to return their surveys and warrants, or certified copies of warrants, to the General Land Office, to obtain patents.

Two years allowed to officers and soldiers of the Virginia line for obtaining warrants.

SEC. 2. *And be it further enacted*, That the provisions of the act, entitled "An act authorizing patents to issue for lands located and surveyed by virtue of certain Virginia resolution warrants," passed the third day of March, one thousand eight hundred and seven, shall be revived, and in force, with all its restrictions, except that the respective times allowed for making locations, and returning surveys thereon, shall be limited to the terms prescribed by the first section of this act, for the location and return of surveys on other warrants; and that the surveys shall be returned to the General Land Office: *Provided*, That no locations, as aforesaid, in virtue of this or the preceding section of this act, shall be made on tracts of lands for which patents had previously been issued, or which had been previously surveyed; and any patent, which may nevertheless be obtained for land located contrary to the provisions of this act, shall be considered null and void.

Provisions of the act of March 3, 1807, revived.

Proviso.

SEC. 3. *And be it further enacted*, That no holder of any warrant which has been, or may be, located, shall be permitted to withdraw or remove the same, and locate it on any other land, except in cases of eviction, in consequence of a legal judgment first obtained, or unless it be found to interfere with a prior location and survey; nor shall any lands heretofore sold by the United States, within the boundaries of said reservation, be subject to location by the holder of any such unlocated warrant. (a)

Holders of warrants not permitted to remove location.

(a) See Nos. 1, 8, 22, 27, 32, 35, 45, 46, 51, 58, 64, 66, 82, 93, 112, 119, 121, 128, 146, 154, 159, 166, 172, 174, 177, 180, 183, 184, 187, 190.

No. 99.—AN ACT supplementary to the act entitled "An act to designate the boundaries of districts, and establish land offices for the disposal of the public lands, not heretofore offered for sale, in the States of Ohio and Indiana."

March 3, 1823.
Vol. 3, p. 783.

[See INDIANA, No. 238.]

No. 100.—AN ACT for the relief of Joshua Russell.

March 3, 1823.
Vol. 6, p. 286.

Be it enacted, &c., That it shall and may be lawful for Joshua Russell, at any time before the thirtieth day of September next, to file with the register of the land office at Marietta, in the State of Ohio, a relinquishment, in writing, of a quarter-section of the land mentioned and described in a certain certificate of purchase issued to him by Joseph Wood, register of said land office, bearing date the twenty-second day of January, in the year of our Lord one thousand eight hundred and eighteen; and to retain the southeast fractional section of the said land; and, upon his filing said relinquishment, all sums of money paid on account of the part relinquished, shall be applied towards the discharge of any instalments which may be due, or shall hereafter become due and payable, on the said land so purchased, as shall not be relinquished; and, if the said Joshua Russell, or his assignee, or other legal representative, shall, within one year from the passing of this act, pay to the receiver of public moneys, at said office, or into the Treasury of the United States, the balance of purchase money that may remain due for

Allowed to relinquish certain land.

the said fractional quarter-section of land, calculated at the price stated in said certificate, with interest, at the rate of six per centum per annum, upon such balance, from the thirtieth day of September, eighteen hundred and twenty-one, then the said Joshua Russell, or his assignee, or other legal representative, shall be entitled to receive a patent for the said fractional quarter-section of land.

Jan. 19, 1824.
Vol. 6, p. 292.

No. 101.—AN ACT for the relief of William Kendall.

To enter vacant land without payment, &c.

Be it enacted, &c., That William Kendall be, and he is hereby authorized, as soon as he shall have relinquished to the United States, by a deed duly executed, all his right, title, and interest, in, and to, the northeast quarter of section fourteen, township four, range nineteen, in the Chillicothe district, to enter, without payment, with the register of said district, any vacant quarter-section, situated within the same; and he shall be entitled to a patent therefor, as in other cases.

May 26, 1824.
Vol. 4, p. 56.

No. 102.—AN ACT providing for the disposition of three several tracts of land in Tuscarawas County, in the State of Ohio, and for other purposes.

Three tracts of land in the county of Tuscarawas, Ohio, to be surveyed and laid off into lots.

Proviso.

Proviso.

Be it enacted, &c., That the three several tracts of land, lying in the county of Tuscarawas, in the State of Ohio, lately retroceded to the United States by the Society of United Brethren for propagating the Gospel among the Heathen, (a) shall be surveyed and laid off into such lots, having regard to the existing surveys and improvements thereon, as will best conduce to the sale thereof: (b) *Provided*, That the lots and tracts which the United States are bound to convey to the said society, shall be laid off according to the contract for retrocession: *And provided, also*, That a suitable number of in-lots and out-lots, in the town of Gnadenhutten, shall be laid off for said town, embracing the improved part thereof, and the fields adjoining, now occupied by the inhabitants, which shall be platted and numbered, and a copy recorded in said county, according to the laws of Ohio.

An agent to be appointed to reside near said land; duty of.

SEC. 2. *And be it further enacted*, That the Secretary of the Treasury shall be, and is hereby, authorized to appoint an agent, who shall reside near the said land, whose duty it shall be to superintend and direct the survey of said land and lots; to receive and pay over to the Treasury the rents due, and to become due, on said lands; to take possession of such parts of said lands as may be forfeited by the tenants, by reason of non-performance of the covenants in their leases, to ascertain the actual cash value of each of the lots and town lots, with the improvements thereon, and, also, the value of each, subject to the conditions of the lease outstanding on it, by the aid of two disinterested appraisers, to be selected by the Secretary of the Treasury, to ascertain the award to be made to Isaac Simmers, Jesse Walton, Barzillai Walton, Jesse Hill, and Boaz Walton, according to their leases; to receive a surrender of such of the leases outstanding on such lands as the holders thereof may be disposed to make, who have, or shall first comply with the conditions of their leases, up to the time of the surrender; to superintend the sale of said lands and lots, and to transfer to the purchasers who shall buy any of said land or lots, subject to the leases thereon, the lease of the lot or land so bought; and to do whatever else may be necessary to effect a speedy and advantageous disposition of said lands and lots.

A right of pre-emption to be allowed John Andreas, and others.

SEC. 3. *And be it further enacted*, That a right of pre-emption shall be allowed to John Andreas, John Neigaman, Jacob Winsh, and Catharine Tschudy, at the real cash value of the lots occupied by them according to the stipulations of the said agreement for retrocession, and to any of the lessees, for any lot embracing their lease; and, also, to the said Society of United Brethren, for any of the remaining lots, or town lots, to an amount not exceeding the amount stipulated to be paid to them by the United States: *Provided*, That any of the persons entitled to pre-emption, who shall be desirous to avail themselves of such right, shall give notice to the said agent of such their intention before the cash value of the lots is ascertained; and, in the case of the lessees, shall, at or before the time of giving such notice, pay all arrears of rent, and surrender their leases; and shall, immediately after the said cash value is ascertained, be entitled to a patent for the lot or land to which they are entitled, as aforesaid, on paying the amount of such cash value; or, in the case of the society, on their executing and delivering to said agent a

Proviso.

discharge to the United States, for so much as said lot or land, whereto a pre-emption is claimed, shall amount to, on account of any sum to become due them by reason of the stipulations in said retrocession; and no right to such pre-emption shall be considered as extending beyond the time of commencing the sale of said lands, as hereinafter directed.

SEC. 4. *And be it further enacted*, That the Secretary of the Treasury may cause to be designated and allowed for public use, the usual ground for streets and alleys in said town, for public ground, and for schools: and may, moreover, cause to be designated and set apart, one lot in each of said tracts, not exceeding one thirty-sixth part of each, the title whereof shall be vested in the legislature of the State of Ohio, and held in trust for the use of schools, in the same manner as other lands granted by the United States for the use of schools, are held in that State. (c)

The usual ground for streets and alleys in said town to be allowed for public use.

SEC. 5. *And be it further enacted*, That, immediately after the said surveys shall be completed, the cash value ascertained, and the school lands designated, the said agents shall give notice, by advertisement in one newspaper in Washington City, and one in Steubenville, one in Zanesville, and one in New Philadelphia, Ohio, of the time, not less than sixty days from the first publication, when he will offer the said lands and lots for sale, at public vendue, at the court-house in New Philadelphia aforesaid; and shall, at such time and place, proceed to offer for sale, to the highest bidder, any of said lands or lots, remaining undisposed of, in the manner hereinbefore provided for: and none of said lots, or land, shall be put up at a less sum than the actual cash value ascertained as aforesaid; and in case any of said lessees shall have failed, or refused to surrender their leases, the sale shall be made subject to those leases; and each purchaser who may purchase at such sale, shall immediately pay to the said agent the amount of his purchase, and take his receipt for the amount, specifying the lot or land purchased; upon which the purchaser shall be entitled to a patent as other purchasers of public lands are: but in case any purchaser shall fail to make his payment as aforesaid, at or before the close of the sale, he shall be considered as having forfeited his purchase, and the land struck off to him shall be again offered for sale, in the same manner as if it had never been struck off: and the said agent, immediately after the close of such sale, shall pay over the money received at such sale, and for rent, to the United States, and report all his proceedings to the General Land Office; and the President shall be, and he is hereby, authorized, whenever the boundaries of the several lots stipulated to be conveyed to the said society shall be ascertained, to issue patents therefor to said society. (d)

After the surveys are made, value ascertained, and the school lands designated, the agent shall give notice through certain newspapers.

Sale of the lands.

SEC. 6. *And be it further enacted*, That the agent herein provided for, shall take an oath of office, and give bond and security, in such sum and form as the Secretary of the Treasury may direct, and be allowed and paid for his services a salary at the rate of six hundred dollars per annum: *Provided*, That said office shall not continue longer than is necessary to perform the duties herein required, and not longer than one year; and said salary, together with the incidental expenses attending the said survey and sale, shall be charged to the fund to be raised by the sale of said lots and land. The said appraisers shall be allowed the sum of two dollars for each day actually employed in the appraisement aforesaid, and neither the said agent nor appraisers shall be at liberty to purchase any of the said lands or lots.

Said agent to take an oath and give security. To receive \$600 per annum. *Proviso.*

SEC. 7. *And be it further enacted*, That, if any of such land or lots remain unsold at public auction, as aforesaid, the same shall be subject to entry and sale at the land office in Zanesville, in Ohio, at the actual cash price, ascertained as aforesaid, in the same manner that other lands of the United States are authorized to be entered; and it shall be the duty of the accounting officers of the Treasury Department to keep a separate account of the proceeds of the lots and lands aforesaid, and of all moneys received and disbursed on account thereof; and, after the expenses of survey and sale of said lots and land shall be reimbursed, it shall be the duty of the Secretary of the Treasury to pay to the said society the sums stipulated to be paid them, and for which they shall not have taken lands and lots as hereinbefore provided for: to pay to the said Simmers, Hill, and Waltons, the sums awarded to them; and then to credit the residue of the proceeds of said lots and lands, as they shall be received, to the fund for raising the annuity for the Christian Indians, so called in the manner stipulated in the agreement entered into with them on the eighth of November, one thousand eight hundred and twenty-three.

Any land or lots remaining unsold at public auction, shall be subject to entry and sale, at the land office in Zanesville.

Duty of the accounting officers of the Treasury.

Course to be pursued by the President in case the Christian Indians feel a disposition to remove from their residence on the river Thames.

SEC. 8. *And be it further enacted,* That, whenever the said Christian Indians shall notify the President of the United States, that they wish to remove from their present residence on the river Thames, into the territory of the United States, it shall be lawful for the President to designate a reservation of not less than twenty-four thousand acres of land, to be held by the said Indians in the usual manner of Indian reservations, so long as they shall live thereon; and from the time said Indians shall remove on to said reservation, the said annuity shall cease.

(a) See Nos. 12, 111, 113, 176.

(b) See Nos. 11, 12, 13, 21, 23, 25, 32, 36, 37, 42, 65, 76, 79, 81, 119, 158.

(c) See Nos. 28, 31, 45, 47, 76, 79, 85, 109, 110, 136, 144, 150, 156, 158, 167, 168, 179.

(d) See Nos. 11, 16, 21, 25, 29, 30, 32, 36, 39, 41, 43, 44, 47, 48, 52, 56, 59, 65, 76, 79, 80, 81, 83, 84, 85, 87, 88, 90, 99, 108, 111, 113, 126, 130, 132, 133, 145, 155, 158, 175, 185.

May 26, 1824.
Vol. 4, p. 70.

The President authorized to ascertain the number of acres of land lying between Ludlow's and Robert's lines, in Ohio.

No. 103.—AN ACT to authorize the President of the United States to enter into certain negotiations relative to lands located under Virginia military land-warrants lying between Ludlow's and Robert's lines, in the State of Ohio.

Be it enacted, &c., That the President of the United States shall be, and he is hereby, authorized to ascertain the number of acres, and, by appraisement or otherwise, the value thereof, exclusive of improvements, of all such lands lying between Ludlow's and Robert's lines, in the State of Ohio, as may, agreeably to the principles of a decision of the Supreme Court of the United States, in the case of *Doddridge's Lessee*, against Thompson and Wright, be held by persons under Virginia military warrants, and on what terms the holders will relinquish the same to the United States, and that he report the facts at the commencement of the next session of Congress. (a)

(a) See Nos. 122, 125.

May 26, 1824.
Vol. 4, p. 75.

The north quarter-section numbered two, in township two and range seventeen, in the Delaware land district, Ohio, reserved for the use of the Wyandot tribe of Indians.

No. 104.—AN ACT reserving to the Wyandot tribe of Indians a certain tract of land in lieu of a reservation made to them by treaty.

Be it enacted, &c., That there be, and hereby is, reserved, for the use of the chiefs and tribe of Wyandot Indians, subject to the conditions and limitations of the former reservation, the northeast quarter of section numbered two, in township two, and range seventeen, south of the base line, of land, in the Delaware land district, in the State of Ohio, in lieu of one hundred and sixty acres of land, on the west side of, and adjoining, the Sandusky River; and which was reserved to said tribe of Indians, by a supplementary treaty between the United States and certain tribes of Indians, held at St. Mary's, in the State of Ohio, on the seventeenth day of September, eighteen hundred and eighteen: on condition that the chiefs of said Wyandot tribe first relinquish to the United States all the right, title, and claim, of said tribe, to the one hundred and sixty acres of land reserved by said supplementary treaty. (a)

(a) See Nos. 158, 164, 175.

Dec. 28, 1824.
Vol. 4, p. 79.

Legislature of Ohio authorized to sell certain tracts of land.

No. 105.—AN ACT to authorize the legislature of the State of Ohio to sell and convey certain tracts of land granted to said State for the use of the people thereof.

Be it enacted, &c., That the legislature of the State of Ohio shall be, and is hereby, authorized and empowered to cause to be sold and conveyed in such manner, and on such terms and conditions, as said legislature shall, by law, direct, the following tracts of land heretofore granted to said State, for the use of the people thereof, to wit: so much of the six-mile reservation, including the salt springs, commonly called the Sciota salt springs, as remains unsold; the salt springs near the Muskingum River, and in the military tract, with the sections of land which include the same; the proceeds thereof to be applied to such literary purposes as said legislature may hereafter direct; and to no other use, intent, or purpose, whatsoever. (a)

(a) See Nos. 11, 28, 73, 76, 79.

March 3, 1825.
Vol. 6, p. 327.

Patent to be issued to them for the east half of a fractional section No. 15, in the Marietta district.

No. 106.—AN ACT for the relief of Richard Cain and Isaac Baldwin, of Ohio.

Be it enacted, &c., That the President of the United States be, and he is hereby, authorized to issue a patent to Richard Cain and Isaac Baldwin, for the east half of the southeast quarter of a fractional section number fifteen, in township number three, of range number three, in the Marietta land district, in the State of Ohio, which was purchased of the United States at a sale thereof, made under a circular of the late

Commissioner of the General Land Office, issued by mistake, dated January second, one thousand eight hundred and twenty-three.

No. 107.—AN ACT for the relief of the heirs and devisees of John Ferrell, deceased.

March 3, 1825.
Vol. 6, p. 328.

Be it enacted, &c., That the executors of the last will and testament of John Ferrell, deceased, late of the State of Ohio, be, and they are hereby, authorized to relinquish to the United States, the east half of the southeast quarter of section thirty-one, in township five, range five, in the Marietta land district, in the State of Ohio, according to the directions of the said last will and testament; upon which relinquishment, in the manner directed by the Secretary of the Treasury of the United States, the west half of the said quarter-section, heretofore relinquished to the United States by the said executors, shall revert to, and become vested in, the heirs or devisees of the said John Ferrell, as fully as if the same had not been so relinquished.

His executors to relinquish to the United States certain land, and receive other land in return.

No. 108.—AN ACT to authorize the sale of a section of land therein mentioned.

March 3, 1825.
Vol. 4, p. 123.

Be it enacted, &c., That the Secretary of the Treasury shall be, and he is hereby, authorized to cause to be exposed to public sale, in the same manner other lands of the United States are, the section numbered thirty-four, of the eleventh township and third range of townships offered for sale, at Steubenville, Ohio; and, if not so sold, the said section shall be liable to entry in the Steubenville land office, as other lands are. (a)

Section numbered 34, of the eleventh township and third range of townships to be offered for sale in Ohio.

(a) See Nos. 11, 16, 21, 25, 29, 30, 32, 36, 39, 41, 43, 44, 47, 48, 52, 56, 59, 65, 76, 79, 80, 81, 83, 84, 85, 87, 88, 90, 99, 102, 111, 113, 126, 130, 132, 133, 145, 155, 158, 175, 185.

No. 109.—AN ACT to authorize the legislature of the State of Ohio to sell the lands, heretofore appropriated for the use of schools in that State.

Feb. 1, 1826.
Vol. 4, p. 138.

Be it enacted, &c., That the legislature of the State of Ohio shall be, and is hereby, authorized to sell and convey, in fee-simple, all, or any part, of the lands heretofore reserved and appropriated by Congress, for the use of schools within said State, and to invest the money arising from the sale thereof, in some productive fund, the proceeds of which shall be forever applied, under the direction of said legislature, for the use and support of schools within the several townships and districts of country, for which they were originally reserved and set apart, and for no other use or purpose whatsoever: *Provided*, Said land, or any part thereof, shall, in no case, be sold without the consent of the inhabitants of such township, or district, to be obtained in such manner as the legislature of said State shall by law direct: *And provided, also*, That, in the apportionment of the proceeds of said fund, each township and district aforesaid shall be entitled to such part thereof, and no more, as shall have accrued from the sum or sums of money arising from the sale of the school lands belonging to such township or district.

Legislature of Ohio authorized to sell, &c., all or any part of the lands appropriated by Congress for the use of schools in said State, and invest the money in some productive fund.
Proviso.
Proviso.

SEC. 2. *And be it further enacted*, That, if the proceeds accruing to any township or district, from said fund, shall be insufficient for the support of schools therein, it shall be lawful for said legislature to invest the same, as is hereinbefore directed, until the whole proceeds of the fund belonging to such township or district shall be adequate to the permanent maintenance and support of schools within the same. (a)

If the proceeds accruing to any township or district be insufficient for the support of schools therein, the legislature is to invest, &c.

(a) See Nos. 28, 31, 45, 47, 76, 79, 85, 102, 110, 136, 144, 150, 156, 158, 167, 168, 179.

No. 110.—AN ACT to appropriate lands for the support of schools in certain townships and fractional townships, not before provided for.

May 20, 1826.
Vol. 4, p. 179.

SEC. 3. *And be it further enacted*, That there shall be selected, in the manner above mentioned, one section and one quarter-section of land, for the support of schools within that tract of country, usually called the French grant, in the county of Sciota, and State of Ohio. (a)

Land to be selected in the French grant in Ohio.

(a) See Nos. 28, 31, 45, 47, 76, 79, 85, 102, 109, 136, 144, 150, 156, 158, 167, 168, 179.

May 20, 1826.
Vol. 4, p. 185.

No. 111.—AN ACT supplementary to "An act providing for the disposition of three several tracts of land in Tuscarawas County, (a) in the State of Ohio, and for other purposes," passed the twenty-sixth of May, one thousand eight hundred and twenty-four.

The provisions of the act to be carried into effect.

Be it enacted, &c., That the Secretary of the Treasury be, and he is hereby, authorized to adopt such measures as, in his judgment, the interests of the United States, and the parties concerned, may require, for the purpose of carrying into full and complete effect the provisions of the act to which this is a supplement, and the intentions of Congress, as expressed in said act. (b)

(a) See Nos. 12, 102, 113, 176.

(b) See Nos. 11, 16, 21, 25, 29, 30, 32, 36, 39, 41, 43, 44, 47, 48, 52, 56, 59, 65, 76, 79, 80, 81, 83, 84, 85, 87, 88, 90, 99, 102, 108, 113, 126, 130, 132, 133, 145, 155, 156, 175, 185.

May 20, 1826.
Vol. 4, p. 189.

No. 112.—AN ACT to extend the time for locating Virginia military land-warrants and returning surveys thereon to the General Land Office.

Officers, &c., of the Virginia line, on the continental establishment, entitled to bounty lands, to be allowed until 1st June, 1829, to obtain warrants, &c.

Proviso.

Proviso.

Be it enacted, &c., That the officers and soldiers of the Virginia line, on the continental establishment, their heirs or assigns, entitled to bounty lands within the tract of country reserved by the State of Virginia, between the Little Miami and Sciota Rivers, shall be allowed until the first day of June, eighteen hundred and twenty-nine, to obtain warrants, and until the first day of June, eighteen hundred and thirty-two, to complete their locations, and until the first day of June, eighteen hundred and thirty-three, to return their surveys and warrants, or certified copies thereof, to the Commissioner of the General Land Office, and to obtain patents: *Provided*, That no location shall be made by virtue of any warrant obtained after the first day of June, eighteen hundred and twenty-nine, and no patent shall issue in consequence of any location made after the first day of June, eighteen hundred and thirty-two: *And provided also*, That no patent shall be obtained, on any such warrant, unless there be produced, to the Secretary of War, satisfactory evidence that such warrant was granted for services which, by the laws of Virginia, passed prior to the cession of the Northwestern Territory, would have entitled such officer, or soldier, his heirs or assigns, to bounty lands; and also a certificate of the register of the land office of Virginia, that no warrant has issued from the said land office for the same services.

No patent to be issued by virtue of the preceding section, for a greater quantity of land than the rank or term of service of the officer, &c., to whose heirs or assigns such warrant has been granted, would have entitled him to, &c.

SEC. 2. *And be it further enacted*, That no patent shall be issued, by virtue of the preceding section, for a greater quantity of land than the rank, or term of service, of the officer or soldier to whom or to whose heirs or assigns such warrant has been granted, would have entitled him to, under the aforesaid laws of Virginia; and whenever it appears, to the Secretary of War, that the survey made by virtue of any of the aforesaid warrants, is for a greater quantity of land than the officer or soldier is entitled to for his services, the Secretary of War shall certify, on each survey, the amount of such surplus quantity, and the officer or soldier, his heirs or assigns, shall have leave to withdraw his survey from the office of the Secretary of War, and resurvey his location, excluding such surplus quantity, in one body, from any part of his resurvey, and a patent shall issue upon such resurvey, as in other cases.

No holder of any warrant to be permitted to withdraw or remove the same and locate it on any other land, except in cases of eviction.

Proviso.

SEC. 3. *And be it further enacted*, That no holder of any warrant, which has been, or may be located, shall be permitted to withdraw or remove the same, and locate it on any other land, except in cases of eviction, in consequence of a legal judgment first obtained, from the whole or a part of the located land, or unless it be found to interfere with a prior location and survey: nor shall any lands heretofore sold by the United States, within the boundaries of said reservation, be subject to location, by the holder of any such unlocated warrant: *Provided*, That no location shall, after the passage of this act, be made on lands for which patents had previously issued, or which had been previously surveyed, nor shall any location be made on lands lying west of Ludlow's line, and any patent which, nevertheless, may be obtained, contrary to the provisions of this section, shall be null and void. (a)

(a) See Nos. 1, 8, 22, 27, 32, 35, 45, 46, 51, 58, 64, 66, 82, 93, 98, 119, 121, 128, 146, 154, 159, 166, 172, 174, 177, 180, 183, 184, 187, 190.

No. 113.—AN ACT to authorize the sale of certain tracts of land in the State of Ohio, commonly called Moravian land.

March 2, 1827.
Vol. 4, p. 237.

Be it enacted, &c., That the several lots of land lying in the Salem, Gnadenhutzen, and Shoenbrun tracts of land, (a) which have been valued at more than one dollar and twenty-five cents per acre, may be offered at public sale, at such time as the President of the United States may think expedient, and sold as other public lands of the United States. (b)

Certain lots lying in the Salem, Gnadenhutzen, and Shoenbrun tracts of land, to be offered at public sale.

(a) See Nos. 12, 102, 111, 176.

(b) See Nos. 11, 16, 21, 25, 29, 30, 32, 36, 39, 41, 43, 44, 47, 48, 52, 56, 59, 65, 76, 79, 80, 81, 83, 84, 85, 87, 88, 90, 99, 102, 108, 111, 126, 130, 132, 133, 145, 155, 158, 175, 185.

No. 114.—AN ACT for the relief of Isaac Delawder.

March 2, 1827.
Vol. 6, p. 362.

Be it enacted, &c., That Isaac Delawder be, and he is hereby, permitted and allowed to enter one-half quarter-section of any land liable to entry, at private sale, in the Chillicothe land district, in the State of Ohio, for which he shall be entitled to a patent, on his releasing to the United States the east half of the southeast quarter of section number ten, township four, range seventeen, in the Chillicothe District, and which was entered by the said Delawder by mistake, by reason of the surveyor's marks upon the corner trees of said last-named quarter section having become obliterated and rendered illegible, by time and accident.

May enter a tract of land in Ohio.

No. 115.—AN ACT to grant a certain quantity of land to the State of Ohio, for the purpose of making a road from Columbus to Sandusky.

March 3, 1827.
Vol. 4, p. 242.

Be it enacted, &c., That there be, and are hereby, appropriated, to the State of Ohio, for the purpose of aiding the Columbus and Sandusky Turnpike Company in making a road from Columbus to Sandusky City, the one half of a quantity of land equal to two sections, on the western side of said road, and most contiguous thereto, to be bounded by sectional lines, from one end of said road to the other, wheresoever the same may remain unsold, reserving to the United States each alternate section the whole length of said road through the lands of the United States, to be selected by the Commissioner of the General Land Office, under the direction of the President: *Provided*, That no toll shall at any time be collected of any mail stage, nor of any troops, or property of the United States. (a)

Land granted for a road.

(a) See No. 116.

No. 116.—AN ACT explanatory of "An act to grant a certain quantity of land to the State of Ohio for the purpose of making a road from Columbus to Sandusky."

April 17, 1828.
Vol. 4, p. 263.

Be it enacted, &c., That, in lieu of the lands appropriated by the act approved on the third of March, one thousand eight hundred and twenty-seven, there shall be granted to the State of Ohio, for the purposes designated in the said act, forty-nine sections of land, to be located in the Delaware land district, in the following manner, to wit: every alternate section, through which the road may run, and the section next adjoining thereto, on the west, so far as the said sections remain unsold, and, if any part of the said sections shall have been disposed of, then a quantity equal thereto, shall be selected under the direction of the Commissioner of the General Land Office, from the vacant lands in the sections adjoining on the west of those appropriated. (a)

Forty-nine sections of land to be located in the Delaware land district in lieu of lands designated in the act of March 3, 1827.

(a) See No. 115.

No. 117.—AN ACT to aid the State of Ohio in extending the Miami Canal from Dayton to Lake Erie, and to grant a quantity of land to said State to aid in the construction of the canals authorized by law; and for making donations of land to certain persons in Arkansas Territory.

May 24, 1828.
Vol. 4, p. 305.

Be it enacted, &c., That there be, and is hereby, granted to the State of Ohio, for the purpose of aiding said State in extending the Miami Canal from Dayton to Lake Erie, by the Maumee route, a quantity of land, equal to one-half of five sections in width, on each side of said canal, between Dayton and the Maumee River, at the mouth of the Auglaize, so far as the same shall be located through the public land, and reserving each alternate section of the land unsold to the United States, to be selected by the Commissioner of the General Land Office, under the

A quantity of land to be granted to the State of Ohio, for the purpose of aiding said State in extending the Miami Canal from Dayton to Lake Erie by the Maumee route.

- direction of the President of the United States; and which land, so reserved to the United States, shall not be sold for less than two dollars and fifty cents per acre. The said land, hereby granted to the State of Ohio, to be subject to the disposal of the legislature of said State, for the purpose aforesaid, and no other: *Provided*, That said canal, when completed, shall be, and forever remain, a public highway, for the use of the Government of the United States, free from any toll or other charge, whatever, for any property of the United States, or persons in their service, passing through the same: *And provided, also*, That the extension of the said Miami Canal shall be commenced within five years, and completed within twenty years, or the State shall be bound to pay to the United States the amount of any lands previously sold; and that the title to purchasers, under the State, shall be valid.
- Proviso.**
- Proviso.**
- Duty of the governor when the route of said canal is located.**
- Legislature to have power to sell, &c., after the selection be made.**
- State of Indiana authorized to convey, &c., to the State of Ohio, all the right, &c., granted to said State by an act of March 2, 1827.**
- Five hundred thousand acres of the lands owned by the United States, within said State to be selected as hereinafter directed, for the purpose of aiding the State of Ohio in the payment of the debt, &c.**
- Proviso.**
- Proviso.**
- The selection of the land granted by 5th section of this act to be made by the governor of Ohio.**
- Proviso.**
- Proviso.**
- SEC. 2.** *And be it further enacted*, That so soon as the route of said canal shall be located, and agreed on by said State, it shall be the duty of the governor thereof, or such other person or persons as may have been, or shall hereafter be, authorized to superintend the construction of said canal, to examine and ascertain the particular lands to which the said State will be entitled under the provisions of this act, and report the same to the Secretary of the Treasury of the United States.
- SEC. 3.** *And be it further enacted*, That the state of Ohio, under the authority of the legislature thereof, after the selection shall have been so made, as aforesaid, shall have power to sell and convey the whole, or any part of said land, and to give a title, in fee-simple, therefor to the purchaser thereof.
- SEC. 4.** *And be it further enacted*, That the State of Indiana be, and hereby is, authorized to convey and relinquish to the State of Ohio, upon such terms as may be agreed upon by said States, all the right and interest granted to the State of Indiana, to any lands within the limits of the State of Ohio, by an act, entitled "An act to grant a certain quantity of land to the State of Indiana, for the purpose of aiding said State in opening a canal, to connect the waters of Wabash River with those of Lake Erie," approved on the second of March, one thousand eight hundred and twenty-seven; the State of Ohio to hold said land on the same conditions upon which it was granted to the State of Indiana, by the act aforesaid.
- SEC. 5.** *And be it further enacted*, That there be, and hereby is, granted to the State of Ohio, five hundred thousand acres of the lands owned by the United States, within the said State, to be selected as hereinafter directed, for the purpose of aiding the State of Ohio in the payment of the debt, or the interest thereon, which has heretofore been, or which may hereafter be, contracted by said State, in the construction of the canals within the same, undertaken under the authority of the laws of said State, now in force, or that may hereafter be enacted, for the extension of canals now making; which land, when selected, shall be disposed of by the legislature of Ohio, for that purpose, and no other: *Provided*, The said canals, when completed or used, shall be, and forever remain, public highways, for the use of the Government of the United States, free from any toll or charge whatever, for any property of the United States, or persons in their service passing along the same: *And provided further*, That the said canals, already commenced, shall be completed in seven years from the approval of this act; otherwise the State of Ohio shall stand bound to pay over to the United States the amount which any lands, sold by her, within that time, may have brought; but the validity of the titles derived from the State by such sales, shall not be affected by that failure.
- SEC. 6.** *And be it further enacted*, That the selection of the land granted by the fifth section of this act, may be made under the authority, and by the direction of the governor of the State of Ohio, of any lands belonging to the United States within said State, which may at the time of selection be subject to entry at private sale, and within two years from the approval of this act: *Provided*, That, in the selection of the lands hereby granted, no lands shall be comprehended which have been reserved for the use of the United States, as alternate sections, in the grants hitherto made, or which may be made during the present session of Congress, of lands within the said State, for roads and canals: *And provided*, That all lands so selected shall, by the governor of said State, be reported to the office of the register of the district in which the land lies, and no lands shall be deemed to be so selected till such report be

made, and the lands so selected shall be granted by the United States to the State of Ohio.

SEC. 7. *And be it further enacted*, That this act shall take effect, *Provided*, The legislature of Ohio, at the first session thereof, hereafter to commence, shall express the assent of the State to the several provisions and conditions hereof; and unless such expression of assent be made, this act shall be wholly inoperative, except so far as to authorize the governor of Ohio to proceed in causing selections of said land to be made previous to the said next session of the legislature. (a)

Act to take effect, provided the legislature of Ohio shall express the assent of the State to the several provisions and conditions hereof, &c.

(a) See Nos. 120, 134, 138, 145, 177, 182, 245.

No. 118.—AN ACT for the relief of Frederick Onstine.

May 24, 1828.
Vol. 6, p. 385.

Be it enacted, &c., That Frederick Onstine, of the State of Ohio, shall be, and he hereby is, authorized to enter, of any of the unappropriated lands of the United States, which have been heretofore offered for sale, two sections of land; and the register of the proper district shall give him a certificate therefor, in due form; upon the presentment of which to the Commissioner of the General Land Office, he is hereby authorized and required to issue, to the said Frederick Onstine, a patent, or patents, for the same; which shall be taken and held as full compensation for all services rendered to the United States, by the said Frederick Onstine and his sons during the late war.

Authorized to enter two sections of land.

No. 119.—AN ACT to authorize the appointment of a surveyor for the Virginia military district, within the State of Ohio. (a)

Feb. 24, 1829.
Vol. 4, p. 335.

Be it enacted, &c., That there shall be appointed by the President of the United States, by and with the advice and consent of the Senate, a surveyor for the Virginia military district within the State of Ohio, who shall keep his office at Chillicothe, in the said district, within the State of Ohio, until otherwise directed by law.

Surveyor to be appointed.

Office at Chillicothe.

SEC. 2. *And be it further enacted*, That the surveyor appointed by virtue of this act shall possess the same powers and authority, perform the same duties, receive the same emoluments, and, in all respects, be subject to, and regulated by, the same laws, rules, and regulations, which were received, exercised, and performed by, and governed the late surveyor of said district, so far as the Virginia military district in the State of Ohio is concerned. (b)

Powers, authority, duties, emoluments, &c.

SEC. 3. *And be it further enacted*, That it shall be the duty of the surveyor to be appointed under the authority of this act to receive from the personal representatives of Colonel Richard C. Anderson, deceased, late surveyor of said district, all the original books, records, warrants, plats and certificates of surveys, assignments, and other papers, relating exclusively to lands already entered, surveyed, or patented, or to be surveyed, entered, and patented, within the Virginia military district, in the State of Ohio; and he shall also make, or cause to be made, so far as relates to claims to land in said Virginia military district, in the State of Ohio, fair copies of such original books, records, warrants, plats and certificates of surveys, assignments, and other papers, from such original books, records, and papers, in said office, (which contain entries, certificates, surveys, plats, assignments, or other papers or evidences of title, in which is also included entries, certificates, surveys, plats, assignments, or other evidences of title, pertaining to lands lying within the Virginia military district, in the State of Kentucky,) which transcripts and copies he shall carefully preserve as a part of the records of his office, and from which he may give copies, as from the originals, to be used in all cases of controversies in the courts of the United States, about lands in the said district, in the State of Ohio.

To receive all books, records, &c., relating to lands within the district.

Fair copies thereof to be made.

And used as original records, in taking copies for use in United States courts.

SEC. 4. *And be it further enacted*, That it shall and may be lawful for the personal representatives of the said Richard C. Anderson, before the delivery of the books, records, papers, and copies, herein specified, to require of the surveyor appointed under the provisions of this act, bond with good and sufficient security, to be approved of by the county court of the county of Jefferson, in the State of Kentucky, if not approved of by the personal representatives of said Richard C. Anderson, in the penal sum of ten thousand dollars, conditioned that the said surveyor shall

Surveyor appointed to give bond, &c., in the penal sum of ten thousand dollars.

Condition.

pay over to the said Anderson's personal representatives all such sums of money due, or to become due to said Anderson, or his representatives, for fees due, services performed, or business done by said Anderson, as late surveyor in said office, and which may be received by the said surveyor appointed under this act; and conditioned, also, that he will not surrender to any person or persons originals or copies of any of the records, books, warrants, plats and certificates of survey, assignments, or other papers, by him received of the personal representatives of said Richard C. Anderson, upon which fees are due, to the person or persons claiming interest in the same, or any other person whatever, until the fees due, or to become due, to said Anderson, or his legal representatives, shall have been first paid to said surveyor; and, upon the execution of said bond, the personal representatives of said Anderson are authorized and required to deliver the records, books, copies and papers, herein above specified, as is provided by this act.

To give sixty days' notice of day on which he will begin to receive locations, &c.

SEC. 5. *And be it further enacted*, That it shall be the duty of the surveyor for said Virginia military district, before he shall receive any location or entry of military warrants to be surveyed, to give at least sixty days' notice, in those newspapers in which the laws of the United States are published in Ohio, of the day on which he will begin to receive such locations or entries, the expenses of which notice shall be audited and paid by the Treasury Department of the United States.

(a) See Nos. 1, 8, 22, 27, 32, 35, 45, 46, 51, 58, 64, 66, 82, 93, 98, 112, 121, 128, 146, 154, 159, 166, 172, 174, 177, 180, 183, 184, 187, 190.

(b) See Nos. 11, 12, 13, 21, 23, 25, 32, 36, 37, 42, 65, 76, 79, 81, 102, 158.

April 2, 1830.
Vol. 4, p. 393.

NO. 120.—AN ACT amending and supplementary to the act to aid the State of Ohio in extending the Miami Canal from Dayton to Lake Erie, and to grant a quantity of land to said State, to aid in the construction of the canals authorized by law, and for making donations of land to certain persons in Arkansas Territory.

Provision of act of May 24, 1828, ch. 108, repealed.

Be it enacted, &c., That so much of the act, approved May twenty-fourth, one thousand eight hundred and twenty-eight, entitled "An act to aid the State of Ohio in extending the Miami Canal from Dayton to Lake Erie, and to grant a quantity of land to said State, to aid in the construction of the canals authorized by law, and for making donations of land to certain persons in Arkansas Territory," as provides that the extension of the Miami Canal shall be completed within twenty years, or that the State shall be bound to pay to the United States the amount of any land previously sold, be, and the same is hereby, repealed: *Provided*, That if the State of Ohio shall apply the said lands, or the proceeds of the sales, or any part thereof, to any other use whatever, than in the extension of the Miami Canal, before the same shall have been completed, the said grant, for all lands unsold, shall thereby become null and void, and the said State of Ohio shall become liable and bound to pay to the United States, the amount for which said land, or any part thereof, may have been sold, deducting the expenses incurred in selling the same: *And provided also*, That it shall be lawful for the legislature of said State to appropriate the proceeds of the land so granted, either in extending the said Miami Canal from Dayton to Lake Erie, or in the construction of a railroad, from the termination of the said canal, at Dayton, towards the said lake.

Proviso; State of Ohio not to apply the land to, &c.

Penalty.

Proviso.

When line of said canal passes over land sold by United States, governor of Ohio may locate other lands.

Proviso.

SEC. 2. *And be it further enacted*, That, whenever the line of the said canal, to be extended as aforesaid, from Dayton to the Maumee River, at the mouth of Anglaize, shall pass over land sold by the United States, it shall be lawful for the governor of the State of Ohio to locate other lands in lieu of the land so sold: *Provided*, Such locations shall not exceed the number of acres necessary to complete an aggregate quantity, equal to one-half of five sections in width, on each side of said extended canal. (a)

(a) See Nos. 117, 134, 138, 145, 177, 182, 245.

April 23, 1830.
Vol. 4, p. 395.

NO. 121.—AN ACT to amend an act, entitled "An act to extend the time for locating Virginia military land-warrants, and returning surveys thereon to the General Land Office," approved the twentieth day of May, one thousand eight hundred and twenty-six.

Officers and soldiers of the Virginia line, &c., allowed, &c.

Be it enacted, &c., That the officers and soldiers of the Virginia line, on the continental establishment, their heirs or assigns, entitled to bounty land within the tract of country reserved by the State of Virginia, between the Little Miami and Sciota rivers, shall be allowed

until the first day of January, one thousand eight hundred and thirty-two, to obtain warrants, subject, however, to the conditions, restrictions, and limitations, relating to locations, surveys, and patents contained in the act of which this is an amendment.

SEC. 2. *And be it further enacted*, That no location shall be made by virtue of any warrant obtained after the said first day of January, one thousand eight hundred and thirty-two; and no patent shall issue in consequence of any warrant obtained after that time. And that the second proviso, inserted in the first section of the above-recited act, except only that part thereof which requires "a certificate of the register of the land office of Virginia, that no warrant has issued from the said land office for the same services," be, and the same is hereby repealed. (a)

(a) See Nos. 1, 8, 22, 27, 32, 35, 45, 46, 51, 58, 64, 66, 82, 93, 98, 112, 119, 128, 146, 154, 159, 166, 172, 174, 177, 180, 183, 184, 187, 190.

No location to be made, &c.

Certain proviso in part repealed.

No. 122.—AN ACT to quiet the titles of certain purchasers of lands, between the lines of Ludlow and Roberts, in the State of Ohio.

May 26, 1830.
Vol. 4, p. 405.

Be it enacted, &c., That the President of the United States be, and he is hereby, authorized to pay, out of any money in the Treasury, not otherwise appropriated, to the Virginia military claimants of lands situated between the two lines in the State of Ohio, commonly called Ludlow's and Roberts' lines, and south of the Greenville treaty line, located prior to the twenty-sixth day of June, in the year of our Lord one thousand eight hundred and twelve, the sum of sixty-two thousand five hundred and fifteen dollars and twenty-five cents, with interest thereon from the fourth March, eighteen hundred and twenty-five, at six per cent. per annum, until paid; being the amount at which said lands were valued, exclusive of improvements, under the act of Congress, entitled "An act to authorize the President of the United States to enter into certain negotiations relative to the lands located under Virginia military land-warrants, lying between Ludlow's and Roberts' lines, in the State of Ohio;" *Provided however*, That before the payment of said sum, the said claimant or claimants shall relinquish, by deed or deeds, to the United States, in such manner as the President shall direct, their title or titles to the said lands.

Appropriation of \$62,515.25, to pay Virginia military claimants.

Proviso: titles to be relinquished.

SEC. 2. *And be it further enacted*, That the payments aforesaid shall be made as directed to the said claimants, according to the valuation of their respective tracts of land, made under the above-recited act of Congress. (a)

(a) See Nos. 103, 125.

Payment to be made according to valuation.

No. 123.—AN ACT for the relief of Alexander Montgomery, John H. Watts, and the administrators of John Wilson, deceased.

May 28, 1830.
Vol. 6, p. 433.

SEC. 2. *And be it further enacted*, That, whenever Alexander Montgomery, of the State of Ohio, shall produce to the Commissioner of the General Land Office satisfactory evidence, that he has paid to the United States, the sum of one hundred and fifty-four dollars and seventy-seven cents, on account of the southwest quarter of section twenty, in township seventeen, of range eighteen, in the Chillicothe land district, the said Commissioner be, and he is hereby, authorized to cause a patent to be issued for the same, in favor of the said Alexander Montgomery.

Patent to issue to Alexander Montgomery.

SEC. 3. *And be it further enacted*, That the administrator and administratrix of the estate of John Wilson, of Ohio, be, and they are hereby, authorized to relinquish to the United States, the west half of the southwest quarter of section thirteen, in township seven, of range twelve, in the Chillicothe land district, and apply the amount heretofore paid thereon towards the payment of the east half of the same quarter; and upon payment in full being made for the said east half in cash, at a discount of thirty-seven and a half per cent., the Commissioner of the General Land Office, shall cause a patent to be issued for that tract.

John Wilson's heirs authorized to relinquish a certain tract of land, &c.

No. 124.—AN ACT for the relief of Samuel Sprigg, of Virginia.

May 29, 1830.
Vol. 6, p. 443.

Be it enacted, &c., That there shall be granted to Samuel Sprigg, of the State of Virginia, as a full compensation for three hundred and seventy-nine dollars and a few cents, paid by Bezaleel Wells, in the year one thousand eight hundred and five, into the Treasury of the United States, as the first instalment on the purchase of a fraction of land, en-

Patent to issue for a half-section of land.

tered by said Wells, in the State of Ohio, in the Steubenville district, being section twenty-six, in township two, range two, which amount was thereafter paid to him by said Sprigg, one half-section of any land belonging to the United States, which has been heretofore offered for sale, and which is, by law, now subjected to entry; and that, upon an entry thereof being made with the proper officer, a patent for the same shall issue to the said Samuel Sprigg.

Feb. 12, 1831.
Vol. 4, p. 440.

No. 125.—AN ACT to amend the act entitled "An act to quiet the title of certain purchasers of lands between the lines of Ludlow and Roberts, in the State of Ohio," approved the twenty-sixth of May, in the year eighteen hundred and thirty.

President of
United States to
pay the claim of
Philip Dodd-
ridge.

Be it enacted, &c., That in addition to the sum appropriated by the act, entitled "An act to quiet the titles of certain purchasers of lands between the lines of Ludlow and Roberts, in the State of Ohio," approved the twenty-sixth of May, in the year eighteen hundred and thirty, the President of the United States be, and he is hereby, authorized to pay, out of any money in the Treasury not otherwise appropriated, to Philip Doddridge, the claimant of the Virginia military survey, numbered six thousand nine hundred and twenty-eight, for seven hundred acres, being one of the Virginia military surveys, in the said act mentioned, lying between the lines of Ludlow and Roberts, in the State of Ohio, the sum of one thousand seven hundred and sixty-five dollars and sixty-eight cents, with interest at the rate of six per centum per annum, from the fifth day of March, eighteen hundred and twenty-five, until paid; the said Philip having already conveyed to the United States, the title to the said seven hundred acres of land, in the manner directed by the President of the United States, pursuant to the provisions of the act of Congress before recited. This act shall commence and be in force from the passing thereof. (a)

(a) See Nos. 103, 122.

Feb. 12, 1831.
Vol. 4, p. 441.

No. 126.—AN ACT authorizing the sale of a tract of land therein named.

Certain tracts
in Cincinnati dis-
trict to be sold.

Be it enacted, &c., That it shall be the duty of the President of the United States to offer at public sale, as soon as may be, the southwest, northwest, and northeast quarters of section number twenty-five, of township number six, in range number one west, in the Cincinnati district, under the same rules and regulations that govern the sale of other public lands of the United States. (a)

(a) See Nos. 11, 16, 21, 25, 29, 30, 32, 36, 39, 41, 43, 44, 47, 48, 52, 56, 59, 65, 76, 79, 80, 81, 83, 84, 85, 87, 88, 90, 99, 102, 108, 111, 113, 130, 132, 133, 145, 155, 158, 175, 185.

March 2, 1831.
Vol. 6, p. 457.

No. 127.—AN ACT for the relief of James Sprague.

Authorized to
enter a tract of
land.

Be it enacted, &c., That James Sprague be, and he is hereby, authorized to locate three hundred and twenty acres of land, by legal subdivisions, on any public land in the State of Ohio now offered for sale, at the minimum price, in satisfaction of an equal quantity of land heretofore located by the said James Sprague on the east half of the eighth section of the fifth township, in the twenty-second range, under the act of Congress of the twenty-third of April, one thousand eight hundred and twelve, from which the said James has been evicted by an older title; and the President of the United States is hereby authorized to issue to the said James Sprague a patent for the land so located, on his producing the certificate of the register of the land office within whose district the location may be made.

March 31, 1832.
Vol. 4, p. 500.

No. 128.—AN ACT explanatory of the act entitled "An act for the relief of officers and soldiers of the Virginia line and navy, and of the continental army, during the revolutionary war," approved thirtieth of May, one thousand eight hundred and thirty.

The provisions
of the act limit-
ed.

Be it enacted, &c., That the provisions of the act, entitled "An act for the relief of certain officers and soldiers of the Virginia line and navy, and of the continental army, during the revolutionary war," approved thirtieth of May, one thousand eight hundred and thirty, (a) shall not be

construed to extend to any land warrants heretofore issued, which have been located, surveyed, or patented on the lands reserved and set apart for the satisfaction of the military bounty lands due to the officers and soldiers of the Virginia line upon continental establishment, or for the satisfaction of the officers and soldiers of the continental army.

SEC. 2. *And be it further enacted*, That the provisions of the third section of the act, entitled "An act to extend the time for locating Virginia military land-warrants, and returning surveys thereon to the land office," approved twentieth May, one thousand eight hundred and twenty-six, be, and the same is hereby, continued in force for seven years, from and after the first day of June, one thousand eight hundred and thirty-two; and the proprietors of any location, survey, or patent, contemplated by the aforesaid section, may avail themselves of the provisions of the said section, in the cases therein enumerated. (b)

(a) See Nos. 12, 15, 17, 18, 27, 32, 34, 38, 42, 49, 50, 60, 71, 130, 131, 135, 139.

(b) See Nos. 1, 8, 22, 27, 32, 35, 45, 46, 51, 58, 64, 66, 82, 93, 98, 112, 119, 121, 146, 154, 159, 166, 172, 174, 177, 180, 183, 184, 187, 190.

The act of May 20, 1826, continued in force to June 1, 1832.

No. 129.—AN ACT for the relief of Jacob Remf, otherwise called Jacob Kemf.

June 15, 1832.
Vol. 6, p. 494.

Be it enacted &c., That the register of the land office at Zanesville, Ohio, be, and he is hereby, authorized to allow Jacob Remf, otherwise called Jacob Kemf, of Holmes County, Ohio, to withdraw his entry and purchase of the west half of the northeast quarter of section numbered fifteen, township numbered six, of range numbered five, of land in the Zanesville district; and to enter, in lieu thereof, the west half of the northeast quarter of section numbered fifteen, township numbered nine, of range numbered six, military, of the Zanesville district, and to apply the moneys paid for the tract first named aforesaid, to the payment of the tract last aforesaid: *Provided*, That, if the tract first named aforesaid shall have been patented to the said Remf before the taking effect of this act, then the said Remf shall execute and deliver, to said register of the land office aforesaid, at the time of said withdrawal, a release to the United States for said tract of land first above named.

Authorized to withdraw his entry, &c.

Proviso.

No. 130.—AN ACT for the sale of the unlocated lots in the fifty quarter townships in the United States' military district, in the State of Ohio, reserved to satisfy warrants granted to individuals for their military services.

July 3, 1832.
Vol. 4, p. 560.

Be it enacted, &c., That the lots and fractional parts of lots lying in the fifty quarter townships, (a) reserved by an act of Congress, passed the eleventh day of February, one thousand eight hundred, and entitled "An act giving further time to the holders of military warrants to register and locate the same," and which remain unlocated, (b) shall, hereafter, be liable to be sold at private sale, in the respective land offices in which they lie, in the same manner, and for the same sum per acre, as other lands of the United States lying in said districts, and undisposed of. (c)

Unlocated lots in military district, in Ohio, made liable to private sale.

(a) See Nos. 11, 18, 32, 38, 42, 71.

(b) See Nos. 12, 15, 17, 18, 27, 32, 34, 38, 42, 49, 50, 60, 71, 128, 131, 135, 139.

(c) See Nos. 11, 16, 21, 25, 29, 30, 32, 36, 39, 41, 43, 44, 47, 48, 52, 56, 59, 65, 76, 79, 80, 81, 83, 84, 85, 87, 88, 90, 99, 102, 108, 111, 113, 126, 132, 133, 145, 155, 158, 175, 185.

No. 131.—AN ACT to extend the time of issuing military land-warrants to officers and soldiers of the revolutionary army.

July 13, 1832.
Vol. 4, p. 578.

Be it enacted, &c., That the time allowed for issuing military land-warrants to the officers and soldiers of the revolutionary army shall be extended to the first day of January, eighteen hundred and thirty-five.

Time extended to January 1, 1835.

SEC. 2. *And be it further enacted*, That the further quantity of three hundred thousand acres of land be, and the same is hereby appropriated, in addition to the quantity heretofore appropriated by the act entitled "An act for the relief of certain officers and soldiers of the Virginia line and navy, and of the continental army during the revolutionary war," approved the thirtieth of May, eighteen hundred and thirty, which said appropriation shall be applied in the manner provided by the said act to the unsatisfied warrants which have been or may be issued as therein directed to the officers and soldiers and others as described in the first, fifth, and seventh sections of said act.

Land appropriated, to be applied in the manner provided by the act of May 30, 1830.

Last paragraph of the first section of said act repealed.

SEC. 3. *And be it further enacted*, That the last paragraph of the first section of the said act which authorizes the issuing of warrants upon an affidavit that the original was lost, and upon the production of an official copy thereof, shall be, and the same is hereby repealed. (a)

(a) See Nos. 12, 15, 17, 18, 27, 32, 34, 38, 42, 49, 50, 60, 71, 122, 130, 135, 139.

July 14, 1832.
Vol. 4, p. 601.

Certain public lands to be attached to the land districts in which they are respectively situate, &c.

No. 132.—AN ACT to authorize the sale of certain public lands in the State of Ohio.

Be it enacted, &c., That the lands heretofore reserved for certain Indian tribes in the State of Ohio, and which were ceded to the United States by treaties ratified on the twenty-fourth day of March, in the year one thousand eight hundred and thirty-one, and the sixth day of April, one thousand eight hundred and thirty-two, be, and the same are hereby attached to, and made to form part of, the land districts (a) in which they are respectively situated, and liable to be sold as other public lands in the State of Ohio. (b)

(a) See Nos. 21, 25, 29, 30, 32, 35, 39, 41, 44, 47, 52, 59, 65, 76, 79, 80, 81, 85, 88, 90, 99, 104, 140, 158, 189.

(b) See Nos. 11, 16, 21, 25, 29, 30, 32, 36, 39, 41, 43, 44, 47, 48, 52, 56, 59, 65, 76, 79, 80, 81, 83, 84, 85, 87, 88, 90, 99, 102, 108, 111, 113, 126, 130, 133, 145, 155, 158, 175, 185.

Feb. 20, 1833.
Vol. 4, p. 618.

Sale of reserved land.

Application of proceeds.

Proviso.

Proviso.

No. 133.—AN ACT to authorize the legislature of the State of Ohio to sell the land reserved for the support of religion in the Ohio Company's, and John Cleeves Symmes' purchases.

Be it enacted, &c., That the legislature of the State of Ohio shall be, and is hereby, authorized to sell and convey, in fee-simple, all or any part of the lands heretofore reserved and appropriated by Congress for the support of religion within the Ohio Company's, (a) and John Cleeves Symmes' purchases, (b) in the State of Ohio, and to invest the money arising from the sale thereof, in some productive fund; the proceeds of which shall be forever annually applied, under the direction of said legislature, for the support of religion within the several townships for which said lands were originally reserved and set apart, and for no other use or purpose whatsoever, according to the terms and stipulations of the contracts of the said Ohio Company's, and John Cleeves Symmes' purchases within the United States: *Provided*, Said land, or any part of it, shall, in no case, be sold without the consent of the person who may be the lessee thereof, nor without the consent of the inhabitants of the township within which any such land may be situated, to be obtained in such manner as the legislature of said State shall, by law, direct: *And provided also*, That in the apportionment of the proceeds of said fund, each township within the districts of country aforesaid, shall be entitled to such portion thereof, and no more, as shall have accrued from the sum or sums of money arising from the sale of the church land belonging to such township. (c)

(a) See Nos. 5, 81.

(b) See Nos. 4, 6, 16, 25, 30, 31, 32, 36, 170, 181.

(c) See Nos. 11, 16, 21, 25, 29, 30, 32, 36, 39, 41, 43, 44, 47, 48, 52, 56, 59, 65, 76, 79, 80, 81, 83, 84, 85, 87, 88, 90, 99, 102, 108, 111, 113, 126, 130, 132, 145, 155, 158, 175, 185.

March 2, 1833.
Vol. 4, p. 662.

Ohio canal.

No. 134.—AN ACT to amend an act entitled "An act to grant a quantity of land to the State of Illinois, for the purpose of aiding in opening a canal to connect the waters of Illinois River with those of Lake Michigan," and to allow further time to the State of Ohio for commencing the Miami Canal from Dayton to Lake Erie.

SEC. 2. *And be it further enacted*, That the further time of five years be allowed the State of Ohio to commence the Miami Canal from Dayton to Lake Erie, in addition to the time now allowed therefor by law. (a)

(a) See Nos. 117, 120, 138, 145, 177, 182, 245.

March 2, 1833.
Vol. 4, p. 665.

Further appropriation of land. Application of it.

No. 135.—AN ACT granting an additional quantity of land for the location of revolutionary bounty-land warrants.

Be it enacted, &c., That the further quantity of two hundred thousand acres of land be, and the same is hereby, appropriated, in addition to the quantity heretofore appropriated by the act, entitled "An act for the relief of certain officers and soldiers of the Virginia line and navy, and of the continental army during the revolutionary war," approved the thirtieth May, one thousand eight hundred and thirty, and the act,

entitled "An act to extend the time of issuing military land-warrants to officers and soldiers of the revolutionary war," approved the thirteenth July, one thousand eight hundred and thirty-two; which said appropriations shall be applied in the manner provided by the said acts, to the unsatisfied warrants, whether original or duplicate, which have been or may be issued as therein directed, to the officers and soldiers, and others, as described in said acts: *Provided*, That the said certificates of scrip shall be receivable in payment of any of the public lands liable to sale at private entry. (a)

Proviso.

(a) See Nos. 12, 15, 17, 18, 27, 32, 34, 38, 42, 49, 50, 60, 71, 128, 130, 131, 139.

No. 136.—AN ACT to grant to the State of Ohio certain lands for the support of schools in the Connecticut Western Reserve.

June 19, 1834.
Vol. 4, p. 679.

Be it enacted, &c., That the President of the United States be, and he is hereby, authorized and required to reserve from sale, out of any public lands that have been heretofore offered at public sale, and that remain unsold in the State of Ohio, a quantity of land, which, together with the lands heretofore granted for the support of schools in the Connecticut Western Reserve, in said State, shall be equal to one thirty-sixth part of said Western Reserve; which said quantity of land may be reserved in sections, or half-sections, or quarter-sections; and, when so reserved, the same shall vest in the said State of Ohio, for the support of schools in said Western Reserve, and be holden by the same tenure, and upon the same terms and conditions, in all respects, as the said State now holds, or may hold, the lands heretofore granted for the support of schools in said Western Reserve. (a)

Land equal to one thirty-sixth of Western Reserve, including that heretofore granted, to be reserved from sale, and to vest in the State.

(a) See Nos. 28, 31, 45, 47, 76, 79, 85, 102, 109, 110, 144, 150, 156, 158, 167, 168, 179.

No. 137.—AN ACT for the relief of the heirs of Arnold Henry Dohrman.

June 28, 1834.
Vol. 6, p. 573.

Whereas doubts exist as to the proper construction of the resolution of the Congress of the United States of America, of the first of October seventeen hundred and eighty-seven, passed for the benefit of Arnold Henry Dohrman; and whether, by virtue thereof, the said Dohrman was entitled to sections eight, eleven, twenty-six, and twenty-nine, of the township of land to be selected by him under said resolution, for the purpose of removing such doubts, and quieting the claims of the heirs at law of said Dohrman, and to effectuate the intentions of the Congress passing said resolution:

Preamble.

Be it enacted, &c., That the heirs at law of Arnold Henry Dohrman be, and they are hereby, confirmed in their claim to sections eight, eleven, twenty-six, and twenty-nine, in township number thirteen, range seven, in the Steubenville district, in the State of Ohio: *Provided*, That this act shall only be construed to be a relinquishment of any claim by the United States in and to said sections, as reserved to them by the resolution of the first of October, seventeen hundred and eighty-seven, and under the ordinance of seventeen hundred and eighty-five, to the heirs at law of said Arnold Henry Dohrman, and not to any other person whatever. (a)

Land claim confirmed.

Proviso.

(a) See No. 24.

No. 138.—AN ACT authorizing the selection of certain Wabash and Erie Canal lands in the State of Ohio.

June 30, 1834.
Vol. 4, p. 716.

Be it enacted, &c., That, in lieu of lands sold or otherwise disposed of by the United States, within the State of Ohio, and which would otherwise become the property of the State of Indiana, in virtue of "An act to grant a certain quantity of land to the State of Indiana for the purpose of aiding said State in opening a canal to connect the waters of the Wabash River with those of Lake Erie," approved March second, eighteen hundred and twenty-seven, the canal commissioners authorized to locate the lands granted as aforesaid for the use of the canal within the State of Ohio, be, and they are hereby, authorized to select an equal quantity from the alternate sections, which would otherwise belong to the United States in the division under said act, or from the lands recently acquired by purchase from the Indians, or from other lands in the neighborhood near the line of said canal as they shall think proper; and the lands thus selected shall be vested and disposed of for the use of the canal as other lands appropriated by the act aforesaid.

Commissioners to select lands.

Former selections, if sold, to be paid for to commissioners.

SEC. 2. *And be it further enacted*, That in case of selections of lands authorized by the previous section, and which agreeably to treaty stipulations, may hereafter be sold by the United States for the benefit of the Indians, a sum equal to the amount for which said lands may have been sold, shall be paid over, by the Treasurer of the United States, to the commissioners authorized to receive the same, for the use and benefit of said canal.

Lands reserved from sale until selections are made.

SEC. 3. *And be it further enacted*, That until the lands granted by the aforesaid act of March second, eighteen hundred and twenty-seven, shall be selected and the selections contemplated by this act shall be made, the public lands on and near the line of said canal, and liable to the selections aforesaid, shall be reserved from sale.

Commissioners to be furnished with maps.

SEC. 4. *And be it further enacted*, That it shall be the duty of the Commissioner of the General Land Office, to furnish said commissioners with a perfect map of the surveyed lands on and contiguous to the Maumee River within the State of Ohio, including the lands recently purchased from the Indians, carefully noting thereon the lands which have been sold or otherwise disposed of by the United States. (a)

(a) See Nos. 117, 120, 134, 145, 177, 182, 245.

March 3, 1835.
Vol. 4, p. 760.

No. 139.—AN ACT making appropriations for the civil and diplomatic expenses of Government for the year one thousand eight hundred and thirty-five.

Land appropriated for unsatisfied warrants and certificates, &c.

SEC. 2. *And be it further enacted*, That six hundred and fifty thousand acres of land, in addition to the quantity heretofore appropriated by the act, entitled "An act for the relief of certain officers and soldiers of the Virginia line and navy, and of the continental army during the revolutionary war," approved the thirtieth day of May one thousand eight hundred and thirty, and the act entitled "An act to extend the time for issuing military land-warrants to officers and soldiers of the revolutionary war," approved the thirteenth day of July, one thousand eight hundred and thirty-two, and the act entitled "An act granting an additional quantity of land for the location of revolutionary bounty-land warrants," approved the second day of March, one thousand eight hundred and thirty-three, be, and the same are hereby, appropriated, to be applied in the manner provided for in said acts, to the unsatisfied warrants whether original or duplicate, which have been or may be issued as therein directed to the officers, soldiers and others therein described; and the certificates of scrip, issued pursuant to said acts shall be receivable in payment for any of the public lands liable to sale at private entry: *Provided*, That no scrip shall be issued until the first day of September next, and warrants shall be received in the General Land Office until that day and immediately thereafter, if the amount filed exceed six hundred and fifty thousand acres, the Commissioner of the General Land Office shall apportion the said six hundred and fifty thousand acres of land among the warrants which may be then on file, in full satisfaction thereof. (a)

Proviso.

(a) See Nos. 12, 15, 17, 18, 27, 32, 34, 38, 42, 49, 50, 60, 71, 128, 130, 131, 135.

March 3, 1835.
Vol. 4, p. 774.

No. 140.—AN ACT to authorize the removal of the land office at Wapauhkone-
to Lima, in the State of Ohio.

Wapauhkone-
ta land office re-
moved to Lima.

Be it enacted, &c., That the land office at present established at Wapauhkone-
paughkoneta, in the State of Ohio, be removed to Lima, in Allen
County, in the same State. (a)

(a) See Nos. 21, 25, 29, 30, 32, 35, 39, 41, 44, 47, 52, 59, 65, 76, 79, 80, 81, 85, 88, 90, 99, 104, 132, 158, 189.

June 15, 1836.
Vol. 5, p. 49.

No. 141.—AN ACT to establish the northern boundary line of the State of Ohio, and to provide for the admission of the State of Michigan into the Union, upon the conditions therein expressed.

[See MICHIGAN, No. 491.]

No. 142.—AN ACT to settle and establish the northern boundary line of the State of Ohio.

June 23, 1836.
Vol. 5, p. 56.

Be it enacted, &c., That the northern boundary of the State of Ohio shall be established by, and extend to, a direct line running from the southern extremity of Lake Michigan to the most northerly cape of the Miami Bay; thence, northeast, to the northern boundary line of the United States; thence, with said line, to the Pennsylvania line. (a)

Northern boundary.

(a) See Nos. 28, 57, 141.

No. 143.—AN ACT for the relief of Henry Stoddard.

June 23, 1836.
Vol. 6, p. 639.

Be it enacted, &c., That the Secretary of the Treasury cause to be issued to Henry Stoddard, assignee of Nicholas Smith, who is assignee of Francis Dochoquet, a patent for three hundred and twenty acres of land, in accordance to a grant of the chiefs of the Shawnee nation of Indians, in the late Wapaghkonetta reservation, in the State of Ohio; which tract of land is situated on the north side of the Auglaise River, at a place called Cotoseka, embracing parts of sections numbers thirty and thirty-one, in township five south, of range six east, according to the plat and survey thereof: *Provided, nevertheless,* That the patent directed to be issued, as aforesaid, shall only operate as a relinquishment, on the part of the United States, and not against the rights of third persons.

A patent for 320 acres to be issued to him.

Proviso.

No. 144.—AN ACT directing the Commissioner of the General Land Office to ascertain the quantity of land covered by grants made to Anthony Shane and to Louis Godfroy, in section sixteen, township four south, range two east, in Lima district, Ohio, and its value.

June 28, 1838.
Vol. 6, p. 726.

Be it enacted, &c., That the Commissioner of the General Land Office ascertain the quantity of land contained in section sixteen, township four south, range two east in Lima district, Ohio, and the quantity covered by each grant made by the United States to Anthony Shane and to Louis Godfroy, in said section; and that he cause the land so granted to be appraised by two judicious and disinterested freeholders, under oath, without regard to the improvements made thereon; and that he make report of the proceedings here directed to Congress as soon as the same shall be had. (a)

Quantity and value of grants to A. Shane and L. Godfroy, to be reported to Congress.

(a) See No. 67, 156.

No. 145.—AN ACT to authorize the sale of certain public lands of the United States near the Wabash and Erie Canal, in the State of Ohio.

July 7, 1838.
Vol. 5, p. 261.

Be it enacted, &c., That after the State of Ohio shall have completed the selection of lands authorized by an act entitled "An act authorizing the selection of certain Wabash and Erie Canal lands, in the State of Ohio, approved June thirty, eighteen hundred and thirty-four, (a) the President of the United States shall be, and he hereby is, authorized to proclaim for public sale the residue of the lands reserved from sale by said act; which sale shall be governed by the same rules and regulations, impose the same duties, and give the same rights, which are provided by the existing laws in relation to other sales of the public lands by proclamation of the President: *Provided, however,* That no lands shall be sold at such sale for a less price than two dollars and fifty cents per acre.

The President authorized to proclaim for public sale the residue of lands reserved by act of June 30, 1834.

Proviso.

SEC. 2. *And be it further enacted,* That after the expiration of the time fixed in the proclamation of the President for the sale authorized in the first section of this act, any lands which may then remain unsold shall be subject to sale at private entry, at the price of two dollars and fifty cents per acre, and not less; and no lands hereby authorized to be sold shall be subject to entry under any pre-emption law of Congress. (b)

Afterwards, any lands unsold shall be subject to private entry, &c.

Not subject to entry under pre-emption laws.

(a) See Nos. 117, 120, 134, 177, 182, 245.

(b) See Nos. 11, 16, 21, 25, 29, 30, 32, 36, 39, 41, 43, 44, 47, 48, 52, 56, 59, 65, 76, 79, 80, 81, 83, 84, 85, 87, 88, 90, 99, 102, 108, 111, 113, 126, 130, 132, 133, 155, 158, 175, 185.

July 7, 1838.
Vol. 5, p. 202.

No. 146.—AN ACT to extend the time for locating Virginia military land-warrants, and returning surveys thereon to the General Land Office.

Time extended
to August 10,
1840.

All entries and
surveys hereto-
fore made, &c.,
shall be good, &c.

Proviso.

Proviso.

No patent shall
issue for a greater
quantity of land
than the rank or
term of service of
the officer or sol-
dier, to whom
said warrant is
issued, would have
entitled him to,
under the laws
of Virginia.

Proviso.

Be it enacted, &c., That the officers and soldiers of the Virginia line on continental establishment, their heirs or assigns, entitled to bounty lands within the tract reserved by Virginia, between the Little Miami and Scioto rivers, northwest of the river Ohio, for satisfying the legal bounties to her officers and soldiers upon continental establishment, shall be allowed until the tenth day of August, in the year one thousand eight hundred and forty, to complete their locations and surveys, and return their surveys and warrants, or certified copies thereof, to the General Land Office; and all entries and surveys which may have heretofore been made within the said reservation, in satisfaction of any such warrants, on lands not previously entered or surveyed, or on lands not prohibited from entry and survey, shall be held to be good and valid, any omission heretofore to extend the time for the making of such entries and surveys to the contrary notwithstanding: *Provided,* That no locations as aforesaid, within the above-mentioned tract, shall, after the passage of this act, be made on tracts of land which may have been previously patented, or which may have been surveyed in satisfaction of warrants granted for the legal bounties of said officers and soldiers: *And provided, also,* That no locations as aforesaid shall be made on any lands lying upon the west side of Ludlow's line; and any patent which may nevertheless be obtained for land located contrary to the provisions of this act, shall be held and considered as null and void. (a)

SEC. 2. *And be it further enacted,* That no patent shall be issued by virtue of the preceding section, for a greater quantity of land than the rank or term of service of the officer or soldier to whom, or to whose heirs or assigns, such warrant has been granted, would have entitled him to under the laws of Virginia and of the United States regulating the issuing of such warrants; and whenever it appears to the Secretary of War that the survey made by any of the aforesaid warrants is for a greater quantity of land than the officer or soldier is entitled to for his services, the Secretary of War shall certify, on each survey, the amount of such surplus quantity, and the officer or soldier, his heirs or assigns, shall have leave to withdraw his survey from the office of the Secretary of War, and resurvey his location, excluding such surplus quantity, in one body, from any part of his resurvey, and a patent shall issue upon such resurvey as in other cases: *Provided, however,* That no patent shall be obtained on any warrant under this act, unless there be produced to the Secretary of War satisfactory evidence that such warrant was granted for services which, by the laws of Virginia passed prior to the cession of the Northwestern Territory, would have entitled such officer or soldier, his heirs or assigns, to bounty lands; and, also, a certificate of the register of the land office of Virginia, that no other warrant has issued from the said land office for the same services. (b)

(a) See Nos. 1, 8, 22, 27, 32, 35, 45, 46, 51, 58, 64, 66, 82, 93, 98, 112, 119, 121, 128, 154, 159, 166, 172, 174, 177, 180, 183, 184, 187, 190.

(b) See No. 148.

July 7, 1838.
Vol. 5, p. 296.

No. 147.—AN ACT ceding to the State of Ohio the interest of the United States in a certain road within that State.

Title of the
United States in
a certain road
granted to the
State of Ohio.

Be it enacted, &c., That all right or title of the United States, acquired by the treaty of Brownstown, in a certain road from the foot of the rapids of the Miami of the Lake to the western line of the Connecticut Western Reserve be, and the same is hereby, granted to the State of Ohio. (a)

(a) See Nos. 53, 72, 97, 163.

March 3, 1839.
Vol. 5, p. 329.

No. 148.—AN ACT to repeal the second section of "An act to extend the time for locating the Virginia military land-warrants and returning surveys thereon to the General Land Office," approved July seventh, eighteen hundred and thirty-eight.

Second section
act 7th July,
1838, repealed.

Be it enacted &c., That the second section of "An act to extend the time for locating Virginia military land-warrants and returning surveys thereon to the General Land Office," approved July seventh, eighteen hundred and thirty-eight, be, and the same is hereby repealed. (a)

(a) See No. 146.

No. 149.—AN ACT for the relief of Joseph Pierce and others.March 3, 1839.
Vol. 6, p. 765.

Be it enacted, &c., That the sum of ninety-three dollars and eighteen cents, with interest thereon from the first day of September, one thousand eight hundred and seventeen, until the passage of this act, be paid to Joseph Pierce, Mary Pierce, Jeremiah H. Pierce, David Z. Pierce, James Steele, Horatio G. Phillips, Elnathan Carey, and Daniel Hubble, out of any money in the Treasury not otherwise appropriated; which sum was paid by the said Joseph Pierce and Company for seventy-six acres and eighty-five hundredths of land lying within the reserve of twelve miles square at the foot of the rapids of the Miami of Lake Erie, in the State of Ohio, and the title to which tract was confirmed to Samuel Ewing by an act of Congress dated seventh of May, one thousand eight hundred and twenty-two; and that the said Joseph Pierce and Company be, and they are hereby, exempted from all further payments for said lands. (a)

Money paid for
certain land to
be refunded.

(a) See No. 96.

No. 150.—AN ACT to authorize the trustees of the township of Oxford, in the county of Butler and State of Ohio, to enter a section of land in lieu of section sixteen, in said township, for the use of schools.March 3, 1839.
Vol. 6, p. 773.

Be it enacted, &c., That the trustees of the township of Oxford, in the county of Butler and State of Ohio, be, and they are hereby, authorized to enter a quantity, equal to one full section, in legal subdivisions of not less than quarter-sections, of any of the public lands in the State of Ohio, in lieu of section sixteen in said township, which has been located under a grant to the use of the Miami University, pursuant to an act of Congress passed on the third day of March, in the year of our Lord one thousand eight hundred and three; and the Commissioner of the General Land Office is directed, upon receiving the proper evidence of said entry, to issue a patent or patents therefor: *Provided, however,* That the inhabitants of said township shall, before making such entry, at a legal meeting called for that purpose, agree to accept thereof, in lieu of said section sixteen, for the use of schools in said township: *And provided, further,* That the said entry shall not include town lots or lands to which there shall be an existing right of pre-emption at the time of such entry; and that the same be made within two years from the passing of this act.

Authorized to
enter a section of
land, in lieu of,
&c.

Proviso.

Proviso.

SEC. 2. *And be it further enacted,* That the land so entered and patented in lieu of said section sixteen, shall be subjected to the same uses, under the same management, and liable to the same disposition, in all respects, as section sixteen in said township granted for the use of schools would by law have been. (a)

Said land to be
subjected to the
same uses, &c.

(a) See Nos. 23, 31, 45, 47, 76, 79, 85, 102, 109, 110, 136, 144, 156, 158, 167, 163, 179.

No. 151.—AN ACT for the relief of the children and heirs of Sebastain Sroufe late of Ohio, deceased.March 3, 1839.
Vol. 6, p. 781.

Be it enacted, &c., That John Allen Alexander and James Alexander, children and heirs of Carnes Alexander, deceased, and Abert Sroufe and George Sroufe and Susanna Sroufe, children and heirs at law of Sebastian Sroufe, late of Putnam County, in the State of Ohio, deceased, be, and they hereby are, authorized, within six months after the passage of this act, to enter with the register and receiver of the land office at Lima, in said State, the west fraction of the southwest quarter of section twenty-one, in township one north, of range five east, lying in the Lima land district of Ohio, on their first paying to the receiver of said land office two dollars and fifty cents per acre for said tract of land.

Authorized to
enter certain
land.**No. 152.—AN ACT for the relief of Solomon Sturges, assignee of Resin Frazier.**March 3, 1839.
Vol. 6, p. 786.

Be it enacted, &c., That Solomon Sturges be, and he is hereby, authorized to enter one-half quarter-section of land of any of the lands of the United States in the Zanesville land district, in the State of Ohio, subject to sale in private entry, in lieu of the east half of the northwest quarter of section nine, township four, range five, of the military land in

Authorized to
enter land, in
lieu of, &c.

Proviso.

the Zanesville land district, which was entered and paid for to the United States on the thirtieth day of April, eighteen hundred and thirty-two, by one Rezin Frazier, who afterwards assigned the same and his interest therein to the said Solomon Sturges: *Provided*, That the said Sturges shall relinquish to the United States all his right and claim in and to the land so entered by said Frazier and assigned to him, in such form as the Commissioner of the General Land Office shall prescribe.

July 20, 1840.
Vol. 6, p. 811.

No. 153.—AN ACT for the relief of Mary Perkins.

Be it enacted, &c., That Mary Perkins, of the county of Williams, in the State of Ohio, be, and she is hereby, authorized to enter, within twelve months after the passage of this act, with the register and receiver of the land office at Lima, in said State, the following tract of land, to wit: the west fraction of the southeast quarter of section numbered twenty-one, in township numbered one, north of range five east, in the Lima land district, Ohio, she paying therefor, as other purchasers, the price of one dollar and twenty-five cents per acre.

July 20, 1840.
Vol. 6, p. 812.

Land certificate to issue.

No. 153a.—AN ACT for the relief of the children of Stephen Johnston, deceased.

Be it enacted, &c., That upon the President being satisfied that the claim of the children of Stephen Johnston, named in the treaty made with the Pottawatomie tribe of Indians, near the mouth of the Mississinnewa, upon the Wabash, in the State of Indiana, on the sixteenth day of October, in the year one thousand eight hundred and twenty-six, to a certain half-section of land, in and by said treaty granted to them, the children of said Stephen Johnston, has been, or may have been, relinquished to the United States; or that the same never has been selected for, and accepted by them, he, the said President, is requested to cause the Commissioner of the General Land Office to issue to the children of the said Stephen Johnston, by their names Stephen Johnston, and Elizabeth Johnston, or to their heirs a certificate, receivable in payment at any land office in the United States, for any half-section of land, not subject to pre-emption.

This act to continue in force, how long.

SEC. 2. *And be it further enacted*, That this act shall continue in force and have effect until the fourth day of March, in the year one thousand eight hundred and forty-three, and no longer. (a)

(a) See Nos. 171, 184a.

Aug. 19, 1841.
Vol. 5, p. 449.

No. 154.—AN ACT further to extend the time for locating Virginia military land-warrants, and returning surveys thereon to the General Land Office.

Sec. 1 of act of 7th July, 1838, revived and continued to 1st Jan. 1844.

Be it enacted, &c., That the first section of the act entitled "An act to extend the time for locating Virginia military land-warrants, and returning surveys thereon to the General Land Office," approved July seventh, eighteen hundred and thirty-eight, as to all warrants issued prior to the tenth day of August, eighteen hundred and forty, and no others, be, and the same is hereby, revived, and to continue in force until the first day of January, eighteen hundred and forty-four. (a)

(a) See Nos. 1, 8, 22, 27, 32, 35, 45, 46, 51, 58, 64, 66, 82, 93, 98, 112, 119, 121, 128, 146, 159, 166, 172, 174, 177, 180, 183, 184, 187, 190.

July 27, 1842.
Vol. 6, p. 836.

No. 155.—AN ACT granting a right of pre-emption to certain lots in the town of Perrysburg, in the State of Ohio.

Purchasers of certain lots at tax sales may enter the same.

Be it enacted, &c., That each purchaser, his or her heirs or assigns, of any lot or lots in the town of Perrysburg, (a) in the State of Ohio, at any sale for taxes thereon assessed by the laws of the State, the title to which has not been divested from the United States in any other manner than under color of such tax sale, shall have the right to enter the same at any time within one year from the passage of this act, at the Land Office in the district within which said town is situated, at the price for which the same was or were struck off at the public sale of lots in said town, held at the town of Wooster, in July, one thousand eight hundred and seventeen, with interest from that date; and on

making such entry, and paying for such lot or lots, as aforesaid, patents shall issue for the same, in the manner they are issued for other land sold by the United States: (b) *Provided, however,* That nothing herein contained shall be construed to affect or prejudice the rights of third persons to any such lot or lots, or to hold the United States to any warranty of title purporting to be conveyed by said patents.

Patents to issue, when.
Proviso.

(a) See Nos. 95, 163, 186.

(b) See Nos. 11, 16, 21, 25, 29, 30, 32, 36, 39, 41, 43, 44, 47, 48, 52, 56, 59, 65, 76, 79, 80, 81, 83, 84, 85, 87, 88, 90, 99, 102, 108, 111, 113, 126, 130, 132, 133, 145, 158, 175, 185.

No. 156.—AN ACT to compensate the township of Dublin, in Mercer County, Ohio, for the loss of school lands.

Aug. 16, 1842.
Vol. 6, p. 862.

Be it enacted, &c., That the Secretary of the Treasury be, and he hereby is, authorized to issue to the trustees of Dublin township, Mercer County, in the State of Ohio, land scrip to the amount of three hundred and eleven dollars and eight cents, in consideration of that part of section number sixteen reserved for the use of schools in said township, which, previous to the survey of said township, had been granted by Congress to Anthony Shane; and to the further amount of four hundred and twenty-six dollars and sixty-two cents, in consideration of another part of said section number sixteen, which in like manner had been granted to Louis Godfroy, and of which parts of said section sixteen the said Shane and Godfroy, their heirs and assigns, have possession under the grants aforesaid, to the exclusion of the right to the said township therein; which said scrip shall be issued in the form and manner heretofore prescribed for the granting of scrip for bounty land, and shall be of like effect in the hands of the legal holder: *Provided, however,* That, before the issue and delivery of said scrip, the inhabitants of said township, at a legal meeting called for that purpose, shall vote to accept of the same in full satisfaction of their right and claim to the lands so granted, and in full compensation therefor, and shall authorize and cause to be executed to the United States, and filed with the Commissioner of the General Land Office, and to his approval, a good and sufficient deed of quit-claim, in release, in law and equity, of all claim, right, title, and interest in and to all those parts of said section sixteen, in said township, which are included in and conveyed by the grants aforesaid to said Anthony Shane and Louis Godfroy: *And provided, further,* That if so ordered by said inhabitants, at such meeting, the execution and acknowledgment of such deed or conveyance, by a majority of said trustees, according to the laws of Ohio, shall be deemed and held a sufficient execution and acknowledgment thereof by said inhabitants. (a)

Scrip to issue to the trustees of Dublin township for the loss of school lands.

Scrip, how to be issued.
Proviso.

Proviso.

SEC. 2. *And be it further enacted,* That the scrip so issued and delivered by the said Secretary of the Treasury to said township of Dublin, or the lands or other things purchased therewith, shall be held and applied by said township to the use of schools, and to no other object or purpose, in the same manner as the said section sixteen, or the proceeds of the sales, or the rents and profits thereof, would be held and applied, had the said land not been granted to said Shane and Godfroy, but had been held and enjoyed as school lands, to the use of said township, by virtue of the original reservation therefor. (b)

The scrip, &c., to be applied to the use of schools.

(a) See Nos. 67, 144.

(b) See Nos. 28, 31, 45, 47, 76, 79, 85, 102, 109, 110, 136, 144, 150, 158, 167, 168, 179.

No. 157.—AN ACT for the relief of Joseph Hover, Abelard Guthrie and Edmund Ogden.

March 1, 1843.
Vol. 6, p. 886.

Be it enacted, &c., That the President of the United States be, and he hereby is, authorized and directed to cause patents to be issued to Joseph Hover, Abelard Guthrie, and Edmund Ogden, their heirs or legal representatives, for the lands by them entered at the land office at Lima, in the State of Ohio, in the month of July, in the year one thousand eight hundred and forty-one, agreeably to the entries. The patents to said lands having been withheld on account of informality in the entries: *Provided,* Said lands shall not have been sold to other purchasers by the United States before the date of this act.

Patents to be issued for lands entered by them.

Proviso.

March 3, 1843.
Vol. 5, p. 624.

Land in Ohio,
ceded by Wyandot
treaty of 17th
March, 1842, at-
tached to district
in which situ-
ated.

Land office to
be removed to
Upper Sandusky.

Part of the land
to be laid off, and
residue surveyed.

All the lands,
except school
lands, &c., to be
offered at public
sale.

All the lots, ex-
cept four to be
selected for the
town, &c., to be
offered at public
sale.

Proviso.

Improved
lands to be noted
on plats of sur-
vey.

Lands to be of-
fered so as to pre-
serve the im-
provements en-
tire.

Improved
tracts to be with-
drawn from sale
unless their
value is bidden,
&c.

No. 158.—AN ACT providing for the sale of certain lands in the States of Ohio and Michigan, ceded by the Wyandot tribe of Indians, and for other purposes.

Be it enacted, &c., That all that tract of land in the State of Ohio, to which the Indian title was extinguished by a treaty with the Wyandot tribe of Indians, concluded at Upper Sandusky, March seventeenth, eighteen hundred and forty-two, (a) shall be attached to, and made a part of, the consolidated land district in which it is situated; and that the land office for the said district shall be removed from Lima to the town of Upper Sandusky, within the tract aforesaid, as soon as in the judgment of the President of the United States, such removal shall be proper. (b)

SEC. 2. *And be it further enacted,* That a portion of the tract aforesaid, including the town of Upper Sandusky, shall, under the direction of the surveyor-general, be laid off into town lots, streets, and avenues, and into out-lots, in such manner and of such dimensions as he may judge proper: *Provided,* That the land so laid off shall not exceed in quantity six hundred and forty acres, nor the town lots a quarter of an acre each, nor the out-lots exceed the quantity of two acres each; and the residue of the lands in the tract shall be surveyed as other public lands, in connection with the adjacent previous surveys. (c)

SEC. 3. *And be it further enacted,* That all the public land in said tract, with the exception of the section numbered sixteen, in each township, which shall remain for the support of common schools, (d) and of the lots reserved by the provisions of the aforesaid treaty, which shall remain for the purposes therein expressed, shall, so soon as the surveys and plats of the same be returned to the general and district land offices, be offered at public sale, at Upper Sandusky, under the superintendence of the register of the land office and the receiver of public moneys for the district, at such time as shall be designated by proclamation of the President of the United States; the sales to remain open for two weeks, and no longer, and the lands not to be sold at public sale nor be subject to private entry thereafter for a price less than two dollars and fifty cents per acre.

SEC. 4. *And be it further enacted,* That the town lots and out-lots directed by this act to be laid off shall, with the exception of four town lots, to be selected by the superintendents of the sale, for the use of and to be vested in the town when it shall become corporate, and also of the lots reserved by the seventeenth article of the aforesaid treaty, to remain for the uses therein provided for, be offered at public sale at the time the other lands in the tract are offered, and are to be subject to entry at private sale thereafter: *Provided, however,* That no town lot shall be sold for less than twenty dollars, nor any out-lot for less than at the rate of fifteen dollars per acre.

SEC. 5. *And be it further enacted,* That, in executing the surveys of the lands in the tract aforesaid, the surveyor-general shall cause the improved lands to be designated on the general plat, and the position, extent, and quality of each improvement to be carefully noted; and the Commissioner of the General Land Office shall cause the superintendents of the sales to be furnished with a copy of the schedule of the appraised value of improvements ascertained, pursuant to the fifth article of the said treaty; and in any case, where the lines for subdivision of sections shall divide and injuriously affect the value of an improvement, the superintendents of the sale shall be authorized, under instruction of the Commissioner of the General Land Office, to offer, at public and private sale, an entire quarter-section, or half quarter-section, and to attach together halves of two adjacent quarter-sections, so as to preserve, as far as practicable, the improvements on a tract entire; and if, in offering at public sale any tract on which improvements exist, the real value of the same, according to the estimate of the superintendents, shall not be bidden, it shall be their duty to withdraw the tract from sale, and the tracts thus withdrawn from sale shall again be offered at public sale, due public notice first being given, when directed by the Commissioner of the General Land Office. (e)

(a) See Nos. 104, 164, 175.

(b) See Nos. 31, 25, 29, 30, 32, 35, 39, 41, 44, 47, 52, 59, 65, 76, 79, 80, 81, 85, 88, 90, 99, 104, 132, 140, 189.

(c) See Nos. 11, 12, 13, 21, 23, 25, 32, 36, 37, 42, 63, 76, 79, 81, 102, 119.

(d) See Nos. 28, 31, 45, 47, 76, 79, 85, 102, 109, 110, 136, 144, 150, 156, 167, 168, 179.

(e) See Nos. 11, 16, 21, 25, 29, 30, 32, 36, 39, 41, 43, 44, 47, 48, 52, 56, 59, 65, 76, 79, 80, 81, 83, 84, 85, 87, 88, 90, 99, 102, 106, 111, 113, 126, 130, 132, 133, 145, 158, 175, 185.

No. 159.—AN ACT in relation to the exemplifications of the records of land patents and other evidences of title, and amendatory of the act entitled "An act to reorganize the General Land Office."

March 3, 1843.
Vol. 5, p. 627.

Be it enacted, &c., That literal exemplifications of any such records which have been or may be granted in virtue of the provisions of the seventh section of the act, approved on the fourth day of July, eighteen hundred and thirty-six, entitled "An act to reorganize the General Land Office," shall be deemed and held to be of the same validity in all proceedings whether at law, or in equity, wherein such exemplifications are adduced in evidence, as if the names of the officers signing and countersigning the same, had been fully inserted in such record.

Literal exemplifications of records to be as valid as if the signatures had been written in full.

SEC. 2. *And be it further enacted,* That exemplifications granted in pursuance of the aforesaid section of the act aforesaid, of any warrant survey, assignment, and other evidences comprising the entire muniments of title, whereon any patent has been based for lands granted by the United States in the aforesaid Virginia military land district or elsewhere, shall be, and are hereby, declared and held as of equal validity with the original patent, warrant survey, assignment, or other evidence of title, on file in said office. (a)

Exemplifications of warrants &c. to be of equal validity with the originals.

(a) See Nos. 1, 8, 22, 27, 32, 35, 45, 46, 51, 53, 64, 66, 82, 93, 98, 112, 119, 121, 128, 146, 154, 166, 172, 174, 177, 180, 183, 184, 187, 190.

No. 160.—AN ACT for the relief of John Miller.

May 23, 1844.
Vol. 6, p. 909.

Be it enacted, &c., That the President of the United States be, and he is hereby, authorized and requested to cause to be issued to John Miller, of Williams County, in the State of Ohio, a patent for the west half of the northwest quarter of section twenty-two, in township five north, range one east, containing eighty acres, without any further payment of money therefor by said Miller.

Land patent to be issued.

No. 161.—AN ACT for the relief of Abelard Guthrie.

June 17, 1844.
Vol. 6, p. 921.

Be it enacted, &c., That the entry made by Abelard Guthrie at the Lima land office, in the State of Ohio, on the twenty-first day of May, eighteen hundred and thirty-nine, of a tract of land known and distinguished on the plan of the surveys of the United States' public lands as the east half, and the northwest quarter of section thirteen, in township three south of range five east, be and the same is hereby confirmed: and that the President of the United States be, and he is hereby, authorized to cause to be issued, on said entry, a patent for the same, to the said Abelard Guthrie, his heirs and assigns, as in other cases where a legal entry has been made.

Land entry confirmed, and patent to issue.

No. 162.—AN ACT for the relief of Solomon Sturges, assignee of Humphrey Richcreek.

June 17, 1844.
Vol. 6, p. 926.

Be it enacted, &c., That Solomon Sturges be, and he is hereby, authorized to enter one-half quarter-section of land of any of the public lands in the State of Ohio, subject to sale by private entry, in lieu of the west half of the northwest quarter of section eight, in township five, of range seven, which was entered and paid for with military land scrip at the Zanesville land office, in the said State of Ohio, by Humphrey Richcreek, and transferred by him on the twenty-fifth day of April, one thousand eight hundred and thirty-two, the day on which said entry was made to the said Solomon Sturges: *Provided,* That the said Solomon Sturges shall relinquish to the United States all his right and claim to the land so entered, in such form as the Commissioner of the General Land Office may prescribe, and also to the military land-scrip with which said entry was made.

Authorized to enter land, in lieu of, &c.

Proviso

No. 163.—AN ACT to quiet the titles to certain lots of land in the towns of Perrysburg and Croghansville, in the State of Ohio.

Feb. 20, 1845.
Vol. 5, p. 724.

Be it enacted, &c., That all titles to town lots and out-lots in the towns of Perrysburg and Croghansville, in the State of Ohio, derived from said State under color of the grant made to said State by virtue of the act of Congress entitled "An act for laying out and making a road from the lower rapids of the Miami of Lake Erie to the western boundary of the Connecticut Western Reserve, in the State of Ohio, agreeably to

Lots of which the titles are confirmed.

List of lots to be furnished to General Land Office.

Confirmations only a relinquishment of the right of the United States.

Lands not comprehended in this act.

Payments due the United States and Ohio not affected.

the provisions of the treaty of Brownstown," approved the twenty-eighth of February, one thousand eight hundred and twenty-three, (a) be, and the same are hereby, recognized as valid and confirmed, in the same manner as though the title to said lots had been vested in the State under the aforesaid act: *Provided*, That the authorities of the said State shall, within one year from and after the passage of this act, furnish the Commissioner of the General Land Office with a certified list of all lots heretofore sold and disposed of under color of the above recited act: *And provided, also*, That all the confirmations intended by this act shall amount only to a relinquishment forever, on the part of the United States, of all their right and title whatever to the lots of land so confirmed: *And provided, further*, That nothing in this act contained shall be construed to comprehend within the provisions thereof such town lots and out-lots, or other tract or tracts of land, as may have been reserved, or directed to be reserved, within the limits of either of said towns of Perrysburg or Croghansville, for the support of schools within the same, in and by the third section of the act entitled "An act providing for the sale of the tract of land at the lower rapids of Sandusky River," or in and by any provision contained in the act entitled "An act providing for the sale of the tract of land at the British fort of the Miami of the Lake, at the foot of the rapids, and for other purposes." But all such town lots and out-lots, or other tract or tracts of land, reserved, or directed to be reserved, as aforesaid, shall be holden subject to the uses and trusts in said acts, and in other acts relating to such reserves, designated or intended. But nothing contained in this act shall prevent the original purchasers of the lots or lands within the limits of the said towns of Perrysburg and Croghansville, and not relinquished to the United States, from paying to the State of Ohio or the General Government for the use of said road or the United States the money with the interest remaining due thereon, on all such lots and lands as may not have heretofore been disposed of by the authorities of the said State for the benefit of said road. (b)

(a) See Nos. 53, 72, 97, 147.

(b) See Nos. 95, 155, 186.

Feb. 26, 1845.
Vol. 6, p. 936.

No. 164.—AN ACT vesting in the county commissioners of the county of Wyandot the right to certain town lots and out-lots in the town of Upper Sandusky, in the State of Ohio.

Right to lots vested in the commissioners, &c.

Lots to be selected, how.

Proviso.

Be it enacted, &c., That the right to the one-third part of the unsold town lots in the town of Upper Sandusky, by the act entitled "An act providing for the sale of certain lands in the States of Ohio and Michigan, ceded by the Wyandot tribe of Indians, and for other purposes," passed March third, one thousand eight hundred and forty-three, directed to be laid out and surveyed, and to one-third part of the out-lots of said town, be and hereby is, vested in the county commissioners of the county of Wyandot, in the said State of Ohio; on condition, nevertheless, that said commissioners, or other competent authorities of said State of Ohio, shall permanently locate and fix the seat of justice of the county at said town, and that the nett proceeds of the sales of said town and out lots be applied by said county commissioners, or other proper authorities, to the erection of public buildings, and the improvement of the public squares and public grounds in said town. (a)

SEC. 2. *And be it further enacted*, That the town lots and out-lots of said town of Upper Sandusky, so to be granted and applied, shall be selected by alternate and progressive numbers, (every third town lot and every third out-lot, according to their numbers, respectively, being granted and applied as aforesaid) under the direction and subject to the control of the Secretary of the Treasury: *Provided*, That nothing herein contained shall be so construed as to grant to and vest in said county commissioners any lot or lots heretofore appropriated to and used by the Indian agency at Upper Sandusky, and upon which there may remain any valuable building, orchard, or other valuable improvement, belonging to the United States; and if any such town lot or out-lot, so by its progressive numbers selected, should be found to comprise and include any such valuable building, orchard, or other valuable improvement, then the said Secretary of the Treasury is hereby authorized and directed to substitute some other lot or lots, of a fair and proportionate value.

(a) See Nos. 104, 158, 175.

No. 165.—AN ACT making appropriations for the civil and diplomatic expenses, &c.
[Surveyor-general's office to be removed to such place in the State of Michigan as the President may direct. See MICHIGAN, No. 509.]

March 3, 1845.
Vol. 5, p. 752.

No. 166.—AN ACT further to extend the time for locating Virginia military land-warrants, and returning surveys thereon to the General Land Office.

July 29, 1846.
Vol. 9, p. 41.

Be it enacted, &c., That the act entitled "An act further to extend the time for locating Virginia military land-warrants, and returning surveys thereon to the General Land Office," approved August nineteen, eighteen hundred and forty-one, as to all warrants issued prior to the tenth day of August, eighteen hundred and forty, and no others, be, and the same is hereby, revived and continued in force until the first day of January, eighteen hundred and forty-eight. (a)

Act of Aug. 19, 1841, for locating Virginia military land-warrants, &c. extended to Jan. 1, 1848.

(a) See Nos. 1, 8, 22, 27, 32, 35, 45, 46, 51, 58, 64, 66, 82, 93, 98, 112, 119, 121, 128, 146, 154, 159, 172, 174, 177, 180, 183, 184, 187, 190.

No. 167.—AN ACT authorizing the inhabitants of township one, of range thirteen east, Seneca County, Ohio, to relinquish certain lands selected for schools, and to obtain others in lieu of them.

Aug. 8, 1846.
Vol. 9, p. 674.

Be it enacted, &c., That, on the relinquishment to the United States by the proper school trustees of township one, of range thirteen east, in Seneca County, Ohio, of all the right, title, and interest, of the inhabitants of said township to the east half and northwest quarter of section eight, in township ten south, of range nine east, containing four hundred and eighty acres, and Cedar Point, on Cedar Island, in Lake Erie, containing thirty-four acres and eighty-nine hundredths of an acre, heretofore selected for them as school lands, under the provisions of the act of twentieth May, eighteen hundred and twenty-six, entitled "An act to appropriate lands for the support of schools in certain townships and fractional townships, not heretofore provided for," the said school trustees be, and they are hereby, authorized to select and enter, free of cost, a quantity not exceeding five hundred and fourteen acres of the lands belonging to the United States, within the limits of the late Wyandott cession, or of any of the land districts in the State of Ohio, in tracts conforming to the subdivisions into which the lands shall be represented on the plats of survey: *Provided*, That the selections hereby authorized to be made shall not embrace lands upon which the assessed improvements of Indians have been made.

School trustees of township 1, range 13 east, Seneca Co., Ohio, authorized, on relinquishing certain lands, to select others in lieu thereof.

Proviso

SEC. 2. *And be it further enacted*, That, when the lands here authorized to be selected or entered shall have been approved by the Secretary of the Treasury, they shall be held by the inhabitants of the township herein first designated, by the same tenure, and upon the same terms, for the support of schools in said township, as if they had been selected under the provisions of the before-recited act of twentieth May, eighteen hundred and twenty-six. (a)

Said lands to be held for schools.

(a) See Nos. 28, 31, 45, 47, 76, 79, 85, 102, 109, 110, 136, 144, 150, 156, 158, 168, 179.

No. 168.—AN ACT authorizing the trustees of Tymochtee township, Wyandott County, Ohio, to select lands for schools within the Wyandott cession.

Aug. 8, 1846.
Vol. 9, p. 675.

Be it enacted, &c., That the school trustees of township one south, of range fourteen east, in Wyandott County, Ohio, be, and hereby are, authorized to select and enter, free of cost, two hundred and twenty-five acres of land, within the Wyandott cession, or of any other lands, within the State of Ohio, belonging to the United States, in tracts conforming to the subdivisions into which the lands shall be represented on the plots of survey: *Provided*, The selections hereby authorized to be made shall not embrace lands upon which the assessed improvements of Indians have been made.

Trustees of Tymochtee township, Ohio, authorized to select lands for schools in the Wyandott cession.

Proviso.

SEC. 2. *And be it further enacted*, That, when the lands hereby authorized to be selected and entered shall have been approved by the Secretary of the Treasury, they shall be held by the inhabitants of the township herein designated by the same tenure, and upon the same terms, for the support of schools in said township, as if they had been selected under the provisions of the general school law of the twentieth of May, one thousand eight hundred and twenty-six. (a)

To be held as if selected under school law of May, 1826.

(a) See Nos. 28, 31, 45, 47, 76, 79, 85, 102, 109, 110, 136, 144, 150, 156, 158, 167, 179.

Jan. 26, 1847.
Vol. 9, p. 118.

States may tax the public lands after the day of sale.

No. 169.—AN ACT declaring the assent of Congress to certain States to impose a tax upon all lands hereafter sold by the United States therein, from and after the day of such sale.

Be it enacted, &c., That the assent of Congress is hereby given to the several States admitted into the Union prior to the twenty-fourth day of April, in the year of our Lord one thousand eight hundred and twenty, to impose a tax or taxes upon all lands hereafter sold by the United States, in said States, from and after the day of such sale: *Provided,* That the assent hereby given shall in no wise impair that provision of the compact with the said States which declares that all lands belonging to citizens of the United States residing without the said States shall never be taxed higher than lands belonging to persons residing therein. (a)

(a) See No. 28.

NOTE.—This act applies to the States of Ohio, Louisiana, Indiana, Mississippi, Illinois, and Alabama.

March 3, 1847.
Vol. 9, p. 208.

Sale of certain lands in Cincinnati, Ohio, prohibited.

Facts to be reported to Congress.

No. 170.—JOINT RESOLUTION to prohibit the sale at private entry of certain lands in Cincinnati, Ohio.

Be it resolved, &c., That the Secretary of the Treasury be, and he is hereby, directed to report to the next session of Congress all the facts in relation to the title to the unsold parts, if any there be, of the reserved fractional section number eleven, of fractional township number four, of fractional range number one, in J. C. Symme's purchase, State of Ohio, together with the opinion of the Attorney-General thereon, and that he suspend all further proceedings in relation thereto, until the end of the next session of Congress. (a)

(a) See Nos. 4, 6, 16, 25, 30, 31, 32, 36, 133, 173, 181.

March 3, 1847.
Vol. 9, p. 708.

Register and receiver of land office at Sandusky to receive a certificate granted to heirs of Stephen Johnson, under the act of 1840, in payment for half-section in the Wyandot reserve.

No. 171.—JOINT RESOLUTION for the relief of the children of Stephen Johnson, deceased.

Be it enacted, &c., That the Commissioner of the General Land Office cause the register and receiver at Upper Sandusky, Ohio, to receive a certificate of the heirs of Stephen Johnson, granted to them under "An act for the relief of the heirs [children] of Stephen Johnson, deceased," approved July twentieth, eighteen hundred and forty, in payment for any half-section of land in the Wyandot reserve not otherwise appropriated: *Provided,* The minimum price of said half-section shall not exceed two dollars and fifty cents per acre. (a)

(a) See Nos. 153a, 184a.

July 5, 1848.
Vol. 9, p. 244.

Act further to extend the time for locating Virginia military land-warrants, &c., revived and continued in force until January 1, 1850.

As to warrants issued prior to August 10, 1840. Also as to subsequent ones, with a proviso.

No. 172.—AN ACT further to extend the time for locating Virginia military land-warrants, and returning surveys thereon to the General Land Office.

Be it enacted, &c., That the act entitled "An act further to extend the time for locating Virginia military land-warrants, and returning surveys thereon to the General Land Office," approved August nineteen, eighteen hundred and forty-one, and as to all warrants issued prior to the tenth day of August, eighteen hundred and forty, and no others, be, and the same is hereby, revived and continued in force until the first day of January, eighteen hundred and fifty.

SEC. 2. *And be it further enacted,* That the same right and privilege is hereby also extended for the same time to all such warrants as have issued subsequent to said tenth day of August, A.D. eighteen hundred and forty: *Provided,* That before the location thereof, it shall be shown to the satisfaction of the Secretary of the Treasury that such warrant was issued justly and legally, and that the person who received said warrant was legally entitled to the same. (a)

(a) See Nos. 1, 8, 22, 27, 32, 35, 45, 46, 51, 58, 64, 66, 82, 93, 98, 112, 119, 121, 128, 146, 154, 159, 166, 174, 177, 180, 183, 184, 187, 190.

No. 173.—JOINT RESOLUTION granting to the Secretary of the Treasury further time to make the report concerning the sale and entry of certain lands in Cincinnati.

March 3, 1849.
Vol. 9, p. 419.

Resolved, &c., That the Secretary of the Treasury have until the next session of Congress to make the report required of him by the joint resolution to prohibit the sale at private entry of certain lands in Cincinnati, Ohio, approved March third, one thousand eight hundred and forty-seven. (a)

(a) See No. 170.

Further time granted to Secretary of Treasury to make report concerning sales of lands at Cincinnati.

No. 174.—AN ACT further to extend the time for locating Virginia military land-warrants, and returning surveys thereon to the General Land Office.

Feb. 20, 1850.
Vol. 9, p. 421.

Be it enacted, &c., That the act entitled "An act further to extend the time for locating Virginia military land-warrants, and returning surveys thereon to the General Land Office," approved July fifth, eighteen hundred and forty-eight, and as to all warrants issued prior to the tenth day of August, eighteen hundred and forty, and no others, be, and the same is hereby, revived and continued in force until the first day of January, eighteen hundred and fifty-two.

Time extended for locating certain Virginia military land-warrants, &c.

SEC. 2. *And be it further enacted,* That the same right and privilege is hereby also extended for the same time to all such warrants as have issued subsequent to said tenth day of August, eighteen hundred and forty: *Provided,* That before the location thereof, it shall be shown to the satisfaction of the Secretary of the Treasury, that such warrant was issued justly and legally, and that the person who received said warrant was legally entitled to the same. (a)

Proviso.

(a) See Nos. 1, 8, 22, 27, 32, 35, 45, 46, 51, 58, 64, 66, 92, 93, 98, 112, 119, 121, 128, 146, 154, 159, 166, 172, 177, 180, 183, 184, 187, 190.

No. 175.—AN ACT to amend an act entitled "An act providing for the sale of certain lands in the States of Ohio and Michigan, ceded by the Wyandott tribe of Indians, and for other purposes," approved on the third day of March, eighteen hundred and forty-three.

July 12, 1852.
Vol. 10, p. 15.

Be it enacted, &c., That so much of the fifth section of the act of which this is amendatory, as declares that if, in offering at public sale any tract of land ceded by the Wyandotts under the treaty concluded with that tribe on the seventeenth March, eighteen hundred forty-two, (a) on which improvements exist, the real value of the same, according to the estimates of the superintendents, shall not be bidden, it shall be their duty to withdraw the tract from sale, and the tracts thus withdrawn from sale shall [again] be offered at public sale, due public notice first being given, be, and the same is hereby repealed; and all such lands shall be exposed at public sale to the highest bidder, at such time and place as the Commissioner of the General Land Office may direct, subject to the minimum price per acre of two dollars and fifty cents. (b)

Part of act of 1843, repealed.

(a) See Nos. 104, 158, 164.

(b) See Nos. 11, 16, 21, 25, 29, 30, 32, 36, 39, 41, 43, 44, 47, 48, 52, 56, 59, 65, 76, 79, 80, 81, 83, 84, 85, 87, 88, 90, 99, 102, 108, 111, 113, 126, 130, 132, 133, 145, 155, 158, 185.

No. 176.—AN ACT in relation to a certain lot of land in the town of Gnadenhutzen, in the State of Ohio.

July 12, 1852.
Vol. 10, p. 15.

Be it enacted, &c., That the lot of land in the town of Gnadenhutzen, in the county of Tuscarawas, in the State of Ohio, heretofore reserved under the act entitled "An act providing for the disposition of three several tracts of land in Tuscarawas County, in the State of Ohio, and for other purposes," approved May twenty-sixth, one thousand eight hundred and twenty-four, for the purpose of a market square, may be used for any other public purpose, upon such terms as shall be prescribed by the Secretary of the Interior, in order to secure the rights of all parties interested therein. (a)

Reservation of land in Gnadenhutzen for a market square, may be used for other purposes.

(a) See Nos. 12, 102, 111, 113.

August 31, 1852. No. 177.—AN ACT making further provisions for the satisfaction of Virginia land warrants.
Vol. 10, p. 143.

Unsatisfied Virginia military land-warrants may be surrendered, and scrip of the United States payable in public lands issued in lieu thereof.

Scrip made assignable.

Provision where there are more than one person interested, or where there are infants, or feme coverts.

Proviso.

This act to be in full satisfaction of Virginia military land-warrants.

Provided, she shall relinquish all claims to her military reserve in Ohio.

Settlement of claim of Ohio for canal lands, under acts of 1827 and 1828.

Be it enacted, &c., That all unsatisfied outstanding military land-warrants or parts of warrants issued or allowed prior to the first day of March, eighteen hundred and fifty-two, by the proper authorities of the commonwealth of Virginia for military services performed by the officers and soldiers, seamen or marines, of the Virginia State and continental lines in the Army or Navy of the Revolution, may be surrendered to the Secretary of the Interior, who, upon being satisfied, by a revision of the proofs or by additional testimony, that any warrant thus surrendered was fairly and justly issued in pursuance of the laws of said commonwealth, for military services so rendered, shall issue land scrip in favor of the present proprietors of any warrant thus surrendered, for the whole or any portion thereof yet unsatisfied, at the rate of one dollar and twenty-five cents for each acre mentioned in the warrant thus surrendered and which remains unsatisfied, which scrip shall be receivable in payment for any lands owned by the United States subject to sale at private entry; and said scrip shall, moreover, be assignable by indorsement attested by two witnesses. In issuing such scrip, the said Secretary is authorized, when there are more persons than one interested in the same warrant to issue to each person scrip for his or her portion of the warrant; and where infants or feme coverts may be entitled to any scrip, the guardian of the infant and the husband of the feme covert may receive and sell or locate the same. *Provided*, That no less than a legal subdivision shall be entered and paid for by the scrip issued in virtue of this act.

SEC. 2. *And be [it] further enacted*, That this act shall be taken as a full and final adjustment of all bounty-land claims to the officers and soldiers, seamen and marines of the State of Virginia, for services in the war of the Revolution: *Provided*, That the State of Virginia shall by a proper act of the legislature thereof relinquish all claim to the lands in the Virginia military land district in the State of Ohio. (a)

SEC. 3. *And be it further enacted*, That in settling the claims of the State of Ohio, under the acts of March second, eighteen hundred and twenty-seven, and May twenty-fourth, eighteen hundred and twenty-eight, granting lands to said State for canal purposes, the same principles shall be acted upon as have been applied under the provisions of the act of May the ninth, eighteen hundred and forty-eight, entitled "An act in addition to an act therein mentioned," for the settlement of the claims of the State of Indiana, accruing under the said act of March the second, eighteen hundred and twenty-seven. (b)

(a) See Nos. 1, 8, 22, 27, 32, 35, 45, 46, 51, 58, 64, 66, 82, 93, 98, 112, 119, 121, 122, 146, 154, 159, 166, 172, 174, 180, 183, 184, 187, 190.

(b) See Nos. 117, 120, 134, 138, 145, 182, 245.

Feb. 14, 1853.
Vol. 10, p. 754.

No. 178.—AN ACT granting the right of way to the Saint Louis and Iron Mountain Railroad Company, and for other purposes.

Right of way at Cleveland granted to the Cleveland and Pittsburgh Railroad, and to the Cleveland, Painesville and Ashtabula Railroad.

Proviso.

SEC. 2. *And be it further enacted*, That the right of way be and the same is hereby granted to the Cleveland and Pittsburgh Railroad Company, and also the right of way to the Cleveland, Painesville, and Ashtabula Railroad Company across the hospital grounds, so called, belonging to the United States, in the city of Cleveland, in the State of Ohio; the width of each of said roads across said hospital grounds not to exceed sixty feet where said roads are now respectively located: *Provided*, That said conveyances can, in the opinion of the Secretary of the Treasury, be made without detriment to the interests of the United States: *And provided further*, That the said grant shall be and is hereby made subject to such conditions as the said Secretary of the Treasury shall impose on the said companies respectively, for the protection and security of the grounds from abrasions by the waters of Lake Erie: *And provided further*, That whenever the said roads shall be discontinued or abandoned, or the conditions of this grant shall be violated, all rights under this act shall cease and determine.

No. 179.—AN ACT for the relief of the civil township of Marion, in the county of Mercer, Ohio.

Aug. 3, 1854.
Vol. 10, p. 818.

Be it enacted, &c., That the trustees of the civil township of Marion, in the county of Mercer, and State of Ohio, be, and they are hereby, authorized to select, out of the unsold lands of the United States, in said State, one section of land for school purposes, in lieu of section sixteen, to which said township is entitled by acts of Congress; and when the said trustees shall have selected said section of land, they shall notify the register of the land office of the district in which said lands lie, and the same shall be reserved for sale, and set apart for the use of schools in said township: *Provided*, That said selection and notification be made within twelve months from the passage of this act: *And provided further*, That said selection shall be made of legal subdivisions of the public lands, and in quantities of not less than one hundred and sixty acres.

SEC. 2. *And be it further enacted*, That the title to the said lands, when so selected and set apart, shall vest in the State of Ohio, for the use of common schools in said township, and shall be subject to the same disposition and uses that the sections sixteen in said State have been made, by the various acts of Congress affecting the same. (a)

(a) See Nos. 28, 31, 45, 47, 76, 79, 85, 102, 109, 110, 136, 144, 150, 156, 158, 167, 162.

No. 180.—AN ACT allowing the further time of two years to those holding land by entries in the Virginia military district in Ohio, which were made prior to first January, eighteen hundred and fifty-two, to have the same surveyed and patented

Dec. 19, 1854.
Vol. 10, p. 598.

Be it enacted, &c., That the officers and soldiers of the Virginia line, or continental establishment, their heirs or assigns, entitled to bounty lands, which have, prior to the first day of January, anno Domini, eighteen hundred and fifty-two, been entered within the tract reserved by Virginia, between the Little Miami and Sciota rivers, for satisfying the legal bounties to her officers and soldiers, upon continental establishment, shall be allowed the time of two years, from and after the passage of this act, to make and return their surveys and warrants, or certified copies of warrants, to the General Land Office. (a)

(a) See Nos. 1, 8, 22, 27, 32, 35, 45, 46, 51, 58, 64, 66, 82, 93, 98, 112, 119, 121, 128, 146, 154, 159, 166, 172, 174, 177, 183, 184, 187, 190.

No. 181.—AN ACT vesting the title of the United States to certain land in the city of Cincinnati.

Dec. 29, 1854.
Vol. 10, p. 601.

Be it enacted, &c., That the title and interest of the United States to the unsold land (if any there be) in fractional section number eleven, in fractional township number four, in fractional range number one, of John Cleve Symme's purchase of lands, within the now State of Ohio, be, and the same hereby is, vested in the corporate authorities of the city of Cincinnati, and their successors in office, and in any other occupants of the same, in severalty, upon payment to the Commissioner of the General Land Office of the minimum price of land subject to entry: *Provided*, That nothing in this act shall be so construed as to impair the legal or equitable rights of any other person or persons to the said land, or to any part thereof. (a)

(a) See Nos. 4, 6, 16, 25, 30, 31, 32, 36, 133, 170, 173.

No. 182.—AN ACT to confirm the canal selections in the State of Ohio.

March 2, 1855.
Vol. 10, p. 634.

Be it enacted, &c., That the selections of land by the State of Ohio, for canal purposes, under the act of second March, eighteen hundred and twenty-seven, and twenty-fourth May, eighteen hundred and twenty-eight, be, and the same are hereby, confirmed. (a)

(a) See Nos. 117, 120, 134, 138, 145, 177, 245.

Canal selections by Ohio, under acts of 1827 and 1828, confirmed.

March 3, 1855.
Vol. 10, p. 701.

No. 183.—AN ACT allowing the further time of two years to those holding lands by entries in the Virginia military district in Ohio, which were made prior to the first [of] January, eighteen hundred and fifty-two, to have the same surveyed and patented.

Extension of time for making and returning surveys of Virginia military bounty lands.

Be it enacted, &c., That the officers and soldiers of the Virginia line on continental establishment, their heirs or assigns, entitled to bounty lands, which have, prior to the first day of January, anno Domini eighteen hundred and fifty-two, been entered within the tract reserved by Virginia, between the Little Miami and Sciota rivers, for satisfying the legal bounties to her officers and soldiers upon continental establishment, shall be allowed the further time of two years from and after the passage of this act to make and return their surveys and warrants, or certified copies of warrants, to the General Land Office.

Act of 1854 repealed.

SEC. 2. *And be it further enacted,* That the act entitled "An act allowing the further time of two years to those holding lands by entries in the Virginia military district in Ohio, which were made prior to first January, eighteen hundred and fifty-two, to have the same surveyed and patented," approved December nineteenth, eighteen hundred and fifty-four, be, and the same is hereby, repealed. (a)

(a) See Nos. 1, 8, 22, 27, 32, 35, 45, 46, 51, 58, 64, 66, 82, 93, 98, 112, 119, 121, 128, 146, 154, 159, 166, 172, 174, 177, 180, 184, 187, 190.

June 22, 1860.
Vol. 12, p. 84.

No. 184.—AN ACT to declare the meaning of the act entitled "An act making further provisions for the satisfaction of Virginia land warrants," passed August thirty-one, eighteen hundred and fifty-two.

Construction of act of 1852.

Be it enacted, &c., That the Secretary of the Interior, in executing the provisions of the act passed August thirty-one, eighteen hundred and fifty-two, entitled "An act making further provision for the satisfaction of Virginia land warrants," be required so to construe the same as to authorize the satisfaction in scrip of all warrants or parts of warrants issued on allowances made by the executive of Virginia prior to the first day of March, eighteen hundred and fifty-two, coming within the principles already recognized by the Department of the Interior in the execution of the provisions of the said act, and whether issued before or since the first day of March, eighteen hundred and fifty-two: *Provided, however,* That no warrant or part of a warrant shall be satisfied in scrip, founded or issued on any allowance made by the executive of Virginia since the first day of March, eighteen hundred and fifty-two. (a)

Proviso.

(a) See Nos. 1, 8, 22, 27, 32, 35, 45, 46, 51, 58, 64, 66, 82, 93, 98, 112, 119, 121, 128, 146, 154, 159, 166, 172, 174, 177, 180, 183, 187, 190.

Feb. 9, 1863.
Vol. 12, p. 915.

No. 184a.—AN ACT to authorize the Court of Claims of the United States to hear and determine the claim of the heirs of Stephen Johnston, deceased.

Preamble.

Whereas by an act of Congress, passed July twentieth, eighteen hundred and forty, for the relief of the children of Stephen Johnston, deceased, said heirs were thereby authorized to surrender to the United States certain lands, and to receive in lieu thereof a certificate "receivable in payment at any land office of the United States for any half-section of land not subject to preëmption;" and whereas said heirs, in pursuance of the provisions of said act, did, on the second day of February, anno Domini eighteen hundred and forty-one, surrender said land, and did receive a certificate as aforesaid, and did thereafter twice make application to the Commissioner of the General Land Office for the purchase of one half-section of the public lands of the United States with said certificate, which several applications were refused by said Commissioner, although at the time of said applications the lands applied for were duly authorized to be sold; and whereas it was the manifest intention of Congress, by the passage of said act, to give to said heirs the right to make choice of and purchase with said certificate any half-section of the public lands of the United States, in order to compensate said heirs for the loss of a judicious selection of land granted to them by the provisions of a treaty made by the United States with the Pottawatomie Indians on the sixteenth day of October, anno Domini eighteen hundred and twenty-six; and whereas since the passage of said act, and the issuing of said certificate, the most valuable lands of the United States have been disposed of and made subject to preëmption, and the holders of the certificate have been deprived of the use

thereof in the purchase of such valuable lands by reason of the decisions aforesaid; and whereas there are now no public lands of the United States upon which said certificate could be used, affording anything like a just compensation to said heirs for the loss of a judicious selection for them under the provisions of the treaty aforesaid: Therefore—

Be it enacted, &c., That the claim of the heirs of Stephen Johnston, deceased, be, and the same is hereby, referred back to the Court of Claims of the United States, together with the record and papers of the case of Stephen Johnston and others against the United States, formerly heard in said court; thereupon said court is authorized and directed to order proof to be taken of the value of such a selection of one half-section of land within the boundaries of the treaty aforesaid as said heirs were justly and equitably entitled to, as it was on the second day of February, anno Domini eighteen hundred and forty-one; and in estimating the value of such a selection as it was on the day aforesaid, all or any improvements upon the land so valued shall not be considered, but the value of such a selection shall be estimated considering its natural advantages of position, &c., and any increase of value from extrinsic and general causes to the date aforesaid.

Claim of heirs of Stephen Johnston to be referred back to Court of Claims.
Direction to the court.

Value of selection.

SEC. 2. *And be it further enacted*, That when the value of such a selection shall be so ascertained by the proof, and thereupon determined by the court, which is hereby required, said court shall add interest upon the value so determined from February second, eighteen hundred and forty-one, and thereupon to ascertain and determine what amount of land scrip of the United States, as hereinafter provided, may be necessary to be issued to said heirs in compensation and satisfaction of the amount so ascertained and determined by the court. And thereupon said court shall order the amount so ascertained to be issued. And the Secretary of the Interior of the United States shall, and he is hereby authorized and required, upon the order aforesaid, and the surrender of the land certificate now held by said heirs to the United States, to cause to be issued to said heirs, to wit: To Stephen Johnston and his heirs and assigns, and to Eliza Winans and her heirs and assigns, in equal proportions, severally, land scrip of the United States to the amount ascertained and determined by the court as aforesaid, which scrip shall be receivable in payment for any lands of the United States subject to private entry, the minimum price of which does not exceed one dollar and twenty-five cents per acre for each acre mentioned in the certificates of scrip so issued; and said land scrip, if offered, shall be receivable in payment of any lands of the United States the sale of which is authorized by law, the value of said scrip to be estimated at one dollar and twenty-five cents for each acre of land therein named. That is to say, scrip for eighty acres of land shall be deemed to be of the value of one hundred dollars, and shall be received as so much money when offered in payment of land worth more than one dollar and twenty-five cents per acre, and the same rule shall apply to the scrip issued for a greater or less number of acres; and said land scrip shall, moreover, be assignable by endorsement, attested by two witnesses, and shall be issued in legal subdivisions in the following manner, to wit: For each section to be issued one certificate of scrip for one hundred and sixty acres, four certificates for eighty acres each, and four certificates for forty acres each: *Provided*, That if there shall be any fraction less than forty acres to make up the amount to be issued, the same shall be so issued: *And provided, further*, That when so issued and delivered shall be in full satisfaction and adjustment of the claim aforesaid. (a)

Court to add interest.

To decide on amount of land scrip to be issued to heirs.

Secretary of Interior to issue land scrip to Stephen Johnston, &c., Eliza Winans, &c.

Scrip receivable in payment for what.

Assignable by endorsement. Attested. Issued in legal subdivisions.

Proviso.

Scrip to be in full satisfaction of the claim.

(a) See Nos. 153a, 171.

NO. 185.—AN ACT in relation to islands in the Great Miami River.

March 2, 1868.
Vol. 15, p. 39.

Be it enacted, &c., That in the case of such islands in the Great Miami River, in the State of Ohio, as are undisposed of, or any vacant public lands adjacent thereto, which are in the actual and exclusive occupancy of any persons who have made improvements thereon, or of their heirs or assigns, such occupants thereof shall have the preference right to enter the same at two dollars and fifty cents per acre, on making proof of the facts to the satisfaction of the Commissioner of the General Land Office, and paying for the land within twelve months from the passage of this act, and patents shall issue for the tracts so entered as usual in entries of public lands. (a)

Islands in the Great Miami River.

(a) See Nos. 11, 16, 21, 25, 29, 30, 32, 36, 39, 41, 43, 44, 47, 48, 52, 56, 59, 65, 76, 79, 80, 81, 83, 84, 85, 87, 88, 90, 99, 102, 106, 111, 113, 126, 130, 132, 133, 145, 155, 158, 175.

July 11, 1870.
Vol. 16, p. 230.

Title of the
United States to
certain land in
Fremont, Ohio,
granted to that
town.

No. 186.—AN ACT relinquishing whatever title may remain in the United States to a certain parcel of ground in Fremont, Ohio, to the corporation of Fremont.

Be it enacted, &c., That whatever title may remain in the United States to a parcel of ground in the city of Fremont, (formerly Croghansville,) Ohio, laid out under the act of Congress of April twenty-six, eighteen hundred and sixteen, which is not included in any of the lots, out-lots, streets, and avenues of the city, but lying between the lots, streets, and avenues, and the Sandusky River, as indicated on the official plat of the town of Croghansville, be, and the same is hereby, relinquished to the corporation of Fremont. (a)

(a) See Nos. 95, 155, 163.

Feb. 18, 1871.
Vol. 16, p. 416.

Unsold lands
in the Virginia
military district
in Ohio, ceded to
Ohio.
Conditions.

No. 187.—AN ACT to cede to the State of Ohio the unsold lands in the Virginia military district in said State.

Be it enacted, &c., That the lands remaining unsurveyed and unsold in the Virginia military district in the State of Ohio be, and the same are hereby, ceded to the State of Ohio, upon the conditions following, to wit: Any person who, at the time of the passage of this act, is a bona-fide settler on any portion of said land may hold not exceeding one hundred and sixty acres so by him occupied by his pre-empting the same in such manner as the legislature of the State of Ohio may direct. (a)

(a) See Nos. 1, 8, 22, 27, 32, 35, 45, 46, 51, 58, 64, 66, 82, 93, 98, 112, 119, 121, 128, 146, 154, 159, 166, 172, 174, 177, 180, 183, 184, 190.

March 1, 1873.
Vol. 17, p. 739.

Preamble.

No. 188.—AN ACT for the relief of Isabella Orange.

Whereas, Isabella Orange, widow of John C. Orange, late a private, Company D, Seventh Regiment West Virginia Volunteers, purchased and came into possession of the southeast quarter of the southeast quarter of section thirty-five, township four, range six, in Monroe County, Ohio, believing she had received a good title for the same; and whereas, she paid the purchase money for said lands out of the proceeds of her pension received on account of the death of her husband in the United States service, and she has made valuable improvements on said land; and whereas, said land has never been sold or disposed of by the United States Government: Therefore,

Patent for land
in Ohio to issue
to Isabella
Orange.

Be it enacted, &c., That the Commissioner of the General Land Office be directed to issue a patent to Isabella Orange, of Monroe County, Ohio, for the southeast quarter of the southeast quarter of section thirty-five, township four of range six, in Monroe County, Ohio.

July 31, 1876.
Vol. 19, p. 121.

No. 189.—AN ACT making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, eighteen hundred and seventy-seven.

Land offices at
Chillicothe, In-
dianapolis, and
Springfield, and
recorder of land
titles of Missouri
abolished.

Surveyor - gen-
eral of Kansas
abolished.

That the land offices at Chillicothe, Ohio, Indianapolis, Indiana, Springfield, Illinois, and the office of the recorder of land titles of the State of Missouri are hereby abolished, from and after the thirtieth day of September next and the Secretary of the Interior is hereby authorized to transfer to the States respectively aforesaid such of the transcripts, documents, and records of the offices aforesaid as may not be required for use of the United States, and as the States respectively in which said offices are situated may desire to preserve; and the office of the surveyor-general of Kansas is hereby abolished from and after the thirtieth of September next. (a)

(a) See Nos. 21, 25, 29, 30, 32, 35, 39, 41, 44, 47, 52, 59, 65, 76, 79, 80, 81, 85, 88, 90, 99, 104, 132, 140, 158.

No. 190.—AN ACT to construe and define "An act to cede to the State of Ohio the unsold lands in the Virginia military district in said State," approved February eighteenth, eighteen hundred and seventy-one, and for other purposes.

May 27, 1870.
Vol. 21, p. 142.

Be it enacted, &c., That the act ceding to the State of Ohio the lands remaining "unsurveyed and unsold" in the Virginia military district, in the State of Ohio, had no reference to lands which were included in any survey or entry within said district founded upon military warrant or warrants upon continental establishment; and the true intent and meaning of said act was to cede to the State of Ohio only such lands as were unappropriated, and not included in any survey or entry within said district, which survey or entry was founded upon military warrant or warrants upon continental establishment.

Construction of
act of 1871.

SEC. 2. That all legal surveys returned to the land office on or before March third, eighteen hundred and fifty-seven, on entries made on or before January first, eighteen hundred and fifty-two, and founded on unsatisfied Virginia military continental warrants, are hereby declared valid.

Certain surveys
declared valid.

SEC. 3. That the officers and soldiers of the Virginia line on continental establishment, their heirs or assigns, entitled to bounty lands, which have, on or before January first, eighteen hundred and fifty-two, been entered within the tract reserved by Virginia, between the Little Miami and Sciota rivers, for satisfying the legal bounties to her officers and soldiers upon continental establishment, shall be allowed three years from and after the passage of this act to make and return their surveys for record to the office of the principal surveyor of said district, and may file their plats and certificates, warrants, or certified copies of warrants, at the General Land Office, and receive patents for the same.

Time extended
for making and
returning sur-
veys.

SEC. 4. This act shall not in any way affect or interfere with the title to any lands sold for a valuable consideration by the Ohio Agricultural and Mechanical College, grantee, under the act of February eighteenth, eighteen hundred and seventy-one. (a)

Certain rights
saved.

(a) See Nos. 1, 8, 22, 27, 32, 35, 45, 46, 51, 58, 64, 66, 82, 93, 98, 112, 119, 121, 128, 146, 154, 159, 166, 172, 174, 177, 180, 183, 184, 187.

INDIANA.

March 3, 1791.
Vol. 1, p. 221.

No. 191.—AN ACT for granting lands to the inhabitants and settlers at Vincennes and the Illinois country, in the territory northwest of the Ohio, and for confirming them in their possessions.

Four hundred acres of land granted to each head of a family, and

SECTION 1. *Be it enacted, &c.,* That four hundred acres of land be given to each of those persons, who in the year one thousand seven hundred and eighty-three, were heads of families at Vincennes or in the Illinois country, on the Mississippi, and who since that time have removed from one of the said places to the other. And the governor of the territory northwest of the Ohio is hereby directed, to cause the same to be laid out for them, at their own expense, either at Vincennes or in the Illinois country, as they shall severally elect.

Also to those who have removed from said territory, if they return within five years.

SEC. 2. *And be it further enacted and declared,* That the heads of families at Vincennes or in the Illinois country in the year one thousand seven hundred and eighty-three, who afterwards removed without the limits of the said territory, are notwithstanding, entitled to the donation of four hundred acres of land made by the resolve of Congress of the twenty-ninth of August, one thousand seven hundred and eighty-eight; and the governor of the said territory, upon application to him for that purpose, is hereby directed to cause the same to be laid out for such heads of families or their heirs; and shall also cause to be laid off and confirmed to such persons the several tracts of land which they may have possessed, and which before the year one thousand seven hundred and eighty-three may have been allotted to them according to the laws and usages of the government under which they had respectively settled: *Provided nevertheless,* That if such persons or their heirs do not return and occupy the said lands within five years, such lands shall be considered as forfeited to the United States. (a)

Lands formerly possessed by Piankeshaw Indians confirmed to present possessors.

SEC. 3. *And be it further enacted,* That one hundred and fifty acres of land, heretofore in possession of the Piankeshaw Indians, and now under actual improvement, and constituting a part of the village of Vincennes, be given to the persons who are severally in possession of the said land.

Improvers of lands claiming under a supposed grant, to have their claims confirmed.

SEC. 4. *And be it further enacted,* That where lands have been actually improved and cultivated at Vincennes, or in the Illinois country, under a supposed grant of the same, by any commandant or court claiming authority to make such grant, the governor of the said territory be, and he hereby is empowered to confirm to the persons who made such improvements, their heirs or assigns, the lands supposed to have been granted as aforesaid, or such parts thereof as he, in his discretion, may judge reasonable, not exceeding to any one person, four hundred acres. (b)

Lands heretofore used as a common to be appropriated thereto.

SEC. 5. *And be it further enacted,* That a tract of land, containing about five thousand four hundred acres, which for many years has been fenced and used by the inhabitants of Vincennes as a common, also a tract of land including the villages of Cohos and Prairie du Pont, and heretofore used by the inhabitants of the said villages as a common, be, and the same are hereby appropriated to the use of the inhabitants of Vincennes and of the said villages respectively, to be used by them as a common, until otherwise disposed of by law. (c)

Militia men who have not obtained any donation of land, to receive 100 acres.

SEC. 6. *And be it further enacted,* That the governor of the said territory be authorized to make a grant of land not exceeding one hundred acres, to each person who hath not obtained any donation of land from the United States, and who, on the first day of August, one thousand seven hundred and ninety, was enrolled in the militia at Vincennes or in the Illinois country, and has done militia duty, the said land to be laid out at the expense of the grantees, and in such form and place as the said governor shall direct. *Provided nevertheless,* That no claim founded upon purchase or otherwise, shall be admitted within a tract of land heretofore occupied by the Kaskaskia nation of Indians, and including their village, which is hereby appropriated to the use of the said Indians.

Appropriation of a tract for the Kaskaskia Indians.

(a) See Nos. 205, 210, 211, 214, 308, 312, 313, 321.

(b) See Nos. 196, 199, 200, 302, 312, 313.

(c) See Nos. 227, 311.

No. 192.—AN ACT to repeal part of a resolution of Congress of the twenty-ninth of August, one thousand seven hundred and eighty-eight, respecting the inhabitants of Post Saint Vincents.

Feb. 21, 1793.
Vol. 1, p. 318.

Be it enacted, &c., That so much of the resolution of Congress of the twenty-ninth of August, one thousand seven hundred and eighty-eight, as requires the French and Canadian inhabitants, and other settlers at Post Saint Vincents, to pay for the survey of the several tracts, which they rightfully claimed, and which had been allotted to them, according to the laws and usages of the government, under which they had settled, be, and hereby is repealed: And that such surveys thereof, as may have been made, be paid for by the United States, not exceeding the rates hitherto established by Congress for making surveys. (a)

Inhabitants of Post St. Vincents relieved from expense of certain surveys.

(a) See Nos. 196, 197.

No. 193.—AN ACT to divide the territory of the United States northwest of the Ohio, into two separate governments.

May 7, 1800.
Vol. 2, p. 58.

SECTION 1. *Be it enacted, &c.,* That from and after the fourth day of July next, all that part of the territory of the United States northwest of the Ohio River, which lies to the westward of a line beginning at the Ohio, opposite to the mouth of Kentucky River, and running thence to Fort Recovery, and thence north until it shall intersect the territorial line between the United States and Canada, shall, for the purposes of temporary government, constitute a separate territory, and be called the Indiana Territory. (a)

Boundary and name of the new territory.

SEC. 2. *And be it further enacted,* That there shall be established within the said territory a government in all respects similar to that provided by the ordinance of Congress, passed on the thirteenth day of July, one thousand seven hundred and eighty-seven, for the government of the territory of the United States northwest of the river Ohio; and the inhabitants thereof shall be entitled to, and enjoy all and singular the rights, privileges and advantages granted and secured to the people by the said ordinance. (b)

Form of government and privileges of the inhabitants.

SEC. 5. *And be it further enacted,* That nothing in this act contained shall be construed so as in any manner to affect the government now in force in the territory of the United States northwest of the Ohio River, further than to prohibit the exercise thereof within the Indiana Territory, from and after the aforesaid fourth day of July next: *Provided,* That whenever that part of the territory of the United States which lies to the eastward of a line beginning at the mouth of the Great Miami River, and running thence due north to the territorial line between the United States and Canada, shall be erected into an independent State, and admitted into the Union on an equal footing with the original States, thenceforth said line shall become and remain permanently the boundary line between such State and the Indiana Territory; any thing in this act contained to the contrary notwithstanding.

Construction of this act with respect to the government of the new territory.

Eventual change of the boundary.

SEC. 6. *And be it further enacted,* That until it shall be otherwise ordered by the legislatures of the said Territories respectively, Chilicothe, on Scioto River, shall be the seat of the government of the territory of the United States northwest of the Ohio River; and that Saint Vincennes, on the Wabash River, shall be the seat of the government for the Indiana Territory. (c)

Seats of the two governments.

(a) See Nos. 203, 209, 246, 276.

(b) See Nos. 215, 219.

(c) See Nos. 206, 215, 230.

No. 194.—AN ACT to extend and continue in force the provisions of an act intitled "An act giving a right of pre-emption to certain persons who have contracted with John Cleves Symmes or his associates, for lands lying between the Miami rivers, in the territory northwest of the Ohio, and for other purposes."

May 1, 1802.
Vol. 2, p. 179.

SEC. 6. *And be it further enacted,* That all the lands around Vincennes on the Wabash, in the Indiana Territory, the Indian title to which hath been extinguished, shall be surveyed and laid off in the manner prescribed by the third section of an act entitled "An act to amend an act entitled 'An act providing for the sales of the lands of the United States in the territory northwest of the Ohio, and above the mouth of Kentucky River,' " under directions from the Secretary of the Treasury, and by

How the lands around Vincennes, to which the Indian title remains, are to be surveyed, &c.

Limitation of the expense for that object.

such person or persons as the President of the United States alone shall appoint for that purpose: *Provided*, That the whole expense of surveying and marking the lines shall not exceed four dollars for every mile that shall be actually run, surveyed, and marked. And two plats of the lands aforesaid shall be prepared by the person or persons who may survey the same, who shall also designate thereon the bounds of the lands of individuals held under reservations of the State of Virginia, or under the laws of the United States: one of the said plats shall be returned to the office of the Secretary of the Treasury, and the other shall be deposited with the secretary of the Indiana Territory. (a)

(a) See Nos. 196, 197, 247, 266, 317.

March 3, 1803.
Vol. 2, p. 235.

No. 195.—AN ACT concerning the salt springs on the waters of the Wabash River.

Salt works to be established on the Wabash River.

Be it enacted, &c., That for the purpose of procuring articles necessary to the establishment of salt works, at the springs near the Wabash River, which have been ceded to the United States, by certain Indian tribes, the sum of three thousand dollars be, and the same is hereby appropriated, to be paid out of any unappropriated money in the Treasury, and under the direction of the President of the United States, who is hereby authorized to cause the said springs to be worked at the expense of the United States; or, if he shall deem it more proper, to lease the same for a term not exceeding three years, on such conditions as will insure the working the same most extensively, and to the most advantage to the United States. (a)

(a) See Nos. 196, 215, 216, 219.

March 26, 1804.
Vol. 2, p. 277.

No. 196.—AN ACT making provision for the disposal of the public lands in the Indiana Territory, and for other purposes.

Powers of the surveyor-general extended over all the lands of the United States north of the Ohio, and east of the Mississippi; and he shall cause them to be laid out into townships.

Expenses of surveying not to exceed three dollars per mile.

Tracts claimed to be laid out at the expense of the claimant.

Indian boundary lines to be run and marked.

Land offices established at Detroit, Vincennes, and Kaskaskia.

Be it enacted, &c., That the powers vested by law in the surveyor-general, shall extend over all the public lands of the United States to which the Indian title has been or shall hereafter be extinguished, north of the river Ohio, and east of the river Mississippi; and it shall be the duty of the said surveyor-general to cause the said lands to be surveyed into townships, six miles square, and divided in the same manner and under the same regulations, and to do and perform all such other acts in relation to the said lands, as is provided by law in relation to the lands of the United States, situate northwest of the river Ohio and above the month of Kentucky River: *Provided*, That the whole expense of surveying and marking the lines shall not exceed three dollars for every mile that shall be actually run, surveyed, and marked: *And provided also*, That such tracts of land as are lawfully claimed by individuals within the said boundaries, and the title whereof has been or shall be recognized by the United States, shall be laid out and surveyed at the expense of the parties respectively, in conformity with the true boundaries of such tracts. And it shall also be the duty of the said surveyor-general to cause to be run, surveyed and marked such of the Indian boundary lines of the said lands, as have not yet been surveyed; and with the approbation of the President of the United States to ascertain by astronomical observations the positions of such places north of the river Ohio and east of the river Mississippi, as may be deemed necessary for the correctness of the surveys, and to be the most important points of the geography of the country. (a)

SEC. 2. *And be it further enacted*, That for the disposal of the lands of the United States, north of the river Ohio and east of the river Mississippi, in the Indiana Territory, three land offices shall be established in the same, one at Detroit for the lands lying north of the State of Ohio to which the Indian title has been extinguished; one at Vincennes for the lands to which the Indian title has been extinguished, and which are included within the boundaries fixed by the treaty lately held with the Indian tribes of the Wabash; and one at Kaskaskia, for so much of the lands included within the boundaries fixed by the treaty of the thirteenth of August, one thousand eight hundred and three, with the Kaskaskia tribe of Indians, as is not claimed by any other Indian tribe:

and for each of the said offices a register and a receiver of public monies shall be appointed, who shall give security in the same manner, in the same sums, and whose compensation, emoluments and duties, and authority, shall, in every respect, be the same in relation to the lands which shall be disposed of at their offices, as are or may be by law provided, in relation to the registers and the receivers of public monies in the several offices established for the disposal of the lands of the United States north of the river Ohio, and above the mouth of Kentucky River. (b)

SEC. 3. *And be it further enacted*, That every person claiming lands within any of the three tracts of land described in the preceding section, by virtue of any legal grant made by the French Government, prior to the treaty of Paris, of the tenth of February, one thousand seven hundred and sixty-three, or of any legal grant made by the British Government, subsequent to the said treaty, and prior to the treaty of peace between the United States and Great Britain, of the third of September, one thousand seven hundred and eighty-three, or of any resolution, or act of Congress, subsequent to the said treaty of peace, shall, on or before the first day of January, one thousand eight hundred and five, deliver to the register of the land office, within whose district the land may lie, a notice in writing, stating the nature and extent of his claims, together with a plot of the tract or tracts claimed, and may also, on or before that day, deliver to the said register, for the purpose of being recorded every grant, order of survey, deed, conveyance, or other written evidence of his claim; and the same shall be recorded by the said register, in books to be kept for that purpose, on receiving from the parties at the rate of twelve and a half cents, for every hundred words contained in such written evidence of their claim; and if such person shall neglect to deliver such notice, in writing, of his claim, or to cause to be recorded such written evidence of the same, all his right, so far as the same is derived from any resolution or act of Congress, shall become void, and forever be barred. (c)

SEC. 4. *And be it further enacted*, That the register, and receiver of public monies, of the three above-mentioned land offices, shall, for the lands respectively lying within their districts, be commissioners for the purpose of examining the claims of persons claiming lands by virtue of the preceding sections. Each of the said commissioners shall, previous to entering on the duties of his appointment, respectively, take and subscribe the following oath or affirmation, before some person qualified to administer the same: "I, do solemnly swear, (or affirm,) that I will impartially exercise and discharge the duties imposed upon me, as commissioner for examining the claims to land, by an act of Congress, intituled An act making provision for the disposal of the public lands in the Indiana Territory, and for other purposes."

It shall be the duty of the said commissioners to meet at the places where the said land offices are by this act established, respectively, on or before the first day of January, one thousand eight hundred and five; and each board shall, in their respective districts, have power to hear in a summary manner all matters respecting such claims; also to compel the attendance of witnesses, to administer oaths, and examine witnesses, and such other testimony as may be adduced, and to decide thereon according to justice and equity, which decision shall be laid before Congress in the manner hereinafter directed, and be subject to their decision thereon. The said boards, respectively, shall have power to appoint a clerk, whose duty it shall be to enter in a book to be kept for that purpose, full and correct minutes of their proceedings and decisions, together with the evidence on which such decisions are made; which books and papers, on the dissolution of the boards, shall be deposited in the respective offices of the registers of the land offices; and the said clerk shall prepare two transcripts of all the decisions made by the said commissioners in favor of the claimants to land, both of which shall be signed by the said commissioners, and one of which shall be transmitted to the surveyor-general, and the other to the Secretary of the Treasury; and the lands, the claims to which shall have been thus affirmed by the commissioners, shall not be otherwise disposed of, until the decision of Congress thereupon shall have been made. It shall likewise be the duty of the said commissioners to make to the Secretary of the Treasury a full report of all the claims filed with the register of the proper land office, as above directed, which they may have rejected, together with the substance of the evidence adduced in support thereof,

Register and receiver of public moneys appointed for each of them. Duties and emoluments of these officers.

Persons claiming lands described in the preceding sections, under grants from the French, British or United States governments to deliver to the registers of the land offices of the districts in which the lands are situated, statements of the extent of their claims.

Which shall be recorded.

Fees demandable for the same.

Neglect to deliver notice.

The registers to be commissioners in their respective districts.

Oath of office.

Their duties.

The commissioners to meet in the several districts and to decide upon claims; invested with power to compel the attendance of witnesses to examine them.

To report their proceedings to Congress.

The board to have power to appoint clerks.

Duty of clerks.

Books and papers, upon the dissolution of the board, to be lodged in the offices of the registers of the land-offices.

Clerks to prepare transcripts of the decisions of the boards.

Commissioners and such remarks thereon as they may think proper: which reports, together with the transcripts of the decisions of the commissioners in favour of claimants, shall be laid by the Secretary of the Treasury before Congress at their next ensuing session. Each of the commissioners and clerks aforesaid, shall be allowed a compensation of five hundred dollars in full for his services as such; and each of the said clerks shall, previous to his entering on the duties of his office, take and subscribe the following oath or affirmation, to wit: "I, do solemnly

Secretary of swear, (or affirm,) that I will truly and faithfully discharge the duties of a clerk to the board of commissioners for examining the claims to land, as enjoined by an act of Congress, intituled An act making provision for the disposal of the public lands in the Indiana Territory, and for other purposes." (d)

Compensation to the commissioners and clerks. SEC. 5. *And be it further enacted*, That all the lands aforesaid, not excepted by virtue of the preceding section, shall, with the exception of the section "number sixteen," which shall be reserved in each township for the support of schools within the same, with the exception also of an entire township in each of the three above-described tracts of country or districts, to be located by the Secretary of the Treasury, for the use of a seminary of learning, and with the exception also of the salt springs and lands reserved for the use of the same as hereinafter directed, be offered for sale to the highest bidder, under the direction of the surveyor-general, or governor of the Indiana Territory, of the register of the land office, and of the receiver of public monies, at the places respectively, where the land offices are kept, and on such day or days as shall, by a public proclamation of the President of the United States, be designated for that purpose. The sales shall remain open at each place for three weeks and no longer: the lands shall not be sold for less than two dollars an acre, and shall in every other respect, be sold in tracts of the same size and on the same terms and conditions as have been or may be by law provided for the lands sold north of the river Ohio, and above the mouth of Kentucky River. All lands other than the reserved sections and those excepted as above mentioned, remaining unsold at the closing of the public sales, may be disposed of at private sale, by the registers of the respective land offices, in the same manner, under the same regulations, for the same price, and on the same terms and conditions, as are or may be provided by law for the sale of the lands of the United States north of the river Ohio, and above the mouth of Kentucky River. And patents shall be obtained for all lands granted or sold in the Indiana Territory, in the same manner and on the same terms as is or may be provided by law for lands sold in the State of Ohio, and in the Mississippi Territory. (e)

Official oath of the clerks.

All the lands with certain exceptions to be sold, on what terms and where. Salt springs.

Lands remaining unsold after three weeks may be disposed of at private sale.

All the navigable rivers, &c., in the Indiana Territory to be public highways.

Salt springs, with contiguous sections reserved for the disposal of the United States.

Commissions to remain in force till the end of the next session of Congress.

Per diem allowance to superintendents of sales.

SEC. 6. *And be it further enacted*, That all the navigable rivers, creeks and waters, within the Indiana Territory, shall be deemed to be and remain public highways; and the several salt springs in the said Territory, together with as many contiguous sections to each, as shall be deemed necessary by the President of the United States, shall be reserved for the future disposal of the United States: and any grant which may hereafter be made for a tract of land, containing a salt spring which had been discovered previous to the purchase of such tract from the United States, shall be considered as fraudulent and null. (f)

SEC. 16. *And be it further enacted*, That the President of the United States shall have full power to appoint and commission the several registers and receivers of public monies of the land offices established by this act, in the recess of Congress; and their commissions shall continue in force until the end of the session of Congress next ensuing such appointment.

SEC. 17. *And be it further enacted*, That the several superintendents of the public sales directed by this act, shall receive six dollars each, for each day's attendance on the said sales.

(a) See Nos. 194, 197, 247, 266, 317.

(b) See Nos. 207, 231, 237, 238, 247, 253, 256, 265, 297, 310, 312, 314, 316.

(c) See Nos. 191, 199, 200, 308, 312, 313.

(d) See Nos. 197, 199, 200, 205, 308, 312, 313.

(e) See Nos. 197, 198, 200, 205, 207, 208, 218, 232, 237, 238, 317.

(f) See Nos. 195, 215, 216, 219.

No. 197.—AN ACT supplementary to the act intituled "An act making provision for the disposal of the public lands in the Indiana Territory, and for other purposes."

March 3, 1805.
Vol. 2, p. 343.

Be it enacted, &c., That the lands lately purchased from the Indian tribes of the Wabash, and lying between the rivers Wabash and Ohio, and the road leading from the falls of the river Ohio to Vincennes, shall be attached to, and made a part of the district of Vincennes, and be offered for sale at that place, under the same regulations, at the same price, and on the same terms as other lands lying within the said district. (a)

Lands purchased from the Wabash Indians, and lying between the Wabash and Ohio, attached to the district of Vincennes, and offered for sale, &c., at Vincennes.

SEC. 2. *And be it further enacted,* That such and so many of the tracts of land lying north and west of the Indian boundary, established by the treaty of Greenville, which were ceded by that treaty to the United States, as the President of the United States shall direct, shall be surveyed and subdivided in the same manner as the other public lands of the United States, and shall be offered for sale at Detroit, or at such of the other land offices established by law in the State of Ohio, or in the Indiana Territory, as the President of the United States shall judge most expedient, under the same regulations, at the same price, and on the same terms, as other lands lying within the same district.

Lands lying northwest of the Indian boundary by the treaty of Greenville, shall be surveyed, &c., and offered for sale at Detroit.

SEC. 3. *And be it further enacted,* That so much of the tract of land lately purchased from the Indian tribes known by the name of Sacs and Foxes, as the President of the United States shall think expedient and shall direct, shall be attached to and made a part of the district of Kaskaskias, and shall be offered for sale at that place, under the same regulations, at the same price, and on the same terms, as other lands lying within the said district.

Lands purchased from the Sacs and Foxes attached to the district of Kaskaskias, &c.

SEC. 4. *And be it further enacted,* That the lands lying within the districts of Vincennes, Kaskaskias and Detroit which are claimed by virtue of French or British grants, legally and fully executed, or by virtue of grants issued under the authority of any former act of Congress, by either of the governors of the Northwest or Indiana Territories, and which had already been surveyed by a person authorized to execute such surveys, shall, whenever it shall be found necessary to resurvey the same for the purpose of ascertaining the adjacent vacant lands, be surveyed at the expense of the United States; any act to the contrary notwithstanding.

Lands in the districts of Vincennes, &c., claimed under French or British grants, &c., &c., shall be resurveyed at the expense of the United States.

SEC. 5. *And be it further enacted,* That persons claiming lands in either of the said three districts, either under legal grants derived from the French or British governments, or by virtue of actual possession and improvement, or for any other account whatever, may until the first day of November next, give notice in writing to the register of the land office of their claims, and have the evidence of the same recorded, in the manner and on payment of the fees provided by the act to which this act is a supplement; and the right of any person neglecting to give such notice in writing of his claim, and to have the evidence of the same recorded, shall become void and forever be barred. (b)

Claimants of lands in the foregoing districts, to give notice in writing to the registers of the land offices of their claims, &c.

The commissioners appointed for the purpose of examining the claims of persons claiming lands in the said three districts, shall, in their respective districts, have the same powers, and perform the same duties in relation to the claims thus filed, as if notice of the same had been given before the first day of January last; and as was provided by the act to which this act is a supplement, in relation to the claims therein described. It shall be the duty likewise of the clerk of each board to prepare two transcripts of all the decisions made by the said commissioners in favor of the claimants, and to transmit one to the surveyor-general and one to the Secretary of the Treasury. It shall also be the duty of the said commissioners, respectively, to make to the Secretary of the Treasury a report of all the claims filed with the register of the land office, which they may have rejected, together with the substance of the evidence adduced in support thereof, and such remarks thereon as they may think proper; and they shall in relation to any such rejected claims which were founded on possession and actual settlement and improvement, particularly state the date of the improvement and the quantity, situation and boundaries of the land claimed. Those reports, together with the transcripts of the decisions of the commissioners, in favour of claimants, shall be laid by the Secretary of the Treasury before Congress at their next session; and the lands, the claims to which shall have been affirmed by the commissioners, as well as those, the claims to which, though rejected by the commissioners, were derived from actual possession, improvement

Powers, duties, &c., of the commissioners.

Compensations of the commissioners, clerks, and registers of land offices. and settlement, shall not be otherwise disposed of until the decision of Congress thereupon shall have been made. Each of the said commissioners, and each of the clerks of the respective boards, shall be allowed an additional compensation of five hundred dollars, in full for his services as such in relation to such claims; and each of the registers of the land offices for the said three districts, shall be allowed a further sum of five hundred dollars, as a compensation in full for translating and recording, or causing to be translated and recorded, grants, deeds or other evidences of claims in the French language. (c)

SEC. 6. *And be it further enacted*, That the governor of the Michigan Territory shall act as one of the superintendents of the sales of public lands at Detroit, in lieu of the governor of the Indiana Territory.

(a) See Nos. 196, 197, 200, 205, 207, 208, 218, 232, 237, 238, 317.
 (b) See Nos. 191, 196, 199, 200, 308, 312, 313.
 (c) See Nos. 196, 199, 200, 205, 308, 312, 313.

April 15, 1806. Vol. 2, p. 378. No. 198.—AN ACT to suspend the sale of certain lands in the State of Ohio and the Indiana Territory.

[See OHIO, No. 43.]

April 21, 1806. Vol. 2, p. 395. No. 199.—AN ACT respecting the claims to land in the Indiana Territory and State of Ohio.

Registers and receivers of public moneys in Vincennes and Kaskaskias authorized to lay out one or more tracts in their respective districts. *Be it enacted, &c.*, That the registers and receivers of public monies of the districts of Vincennes and Kaskaskias, respectively, be, and they are hereby authorized and empowered, under the direction of the Secretary of the Treasury, to lay out one or more tracts of land, in their respective districts, for the purpose of locating therein, tracts of land granted by virtue of any legal French or British grants, or of any resolution or act of Congress: *Provided*, That the tracts thus laid out shall be, whenever practicable, adjoining the tracts, which, in conformity with former laws, had been laid out for similar purposes by the governors of the Northwest or Indiana Territories; and the tracts thus laid out shall not be otherwise disposed of, unless by order of Congress. (a)

Resolution warrants not specific; how to be entered.

Proviso.

SEC. 2. *And be it further enacted*, That any person or persons entitled to grants of land by virtue of any former resolution or act of Congress, which are not specifically designated in the patents issued by the governors aforesaid, or which have not yet been located, shall have a right to locate the same in the tract or tracts, to be laid out in each district, respectively, by virtue of the preceding section, the priority of such locations shall be determined by lot in presence of the register of the land office, with whom the location shall be entered: and the surveyor-general shall cause the same to be surveyed at the expense of the parties; *Provided*, That all the lands thus located, shall, in each tract laid out for that purpose, be laid out in a body, without leaving any intervals of vacant land, and shall each be surveyed in the form of a square or of a parallelogram, the length of which shall not exceed three times its breadth.

Registers and receivers of public moneys to transmit reports to the Secretary of the Treasury; by what time.

Additional compensation to them.

Registers and receivers of public moneys in Cincinnati to grant certificates of pre-emption to residents.

Proviso.

SEC. 3. *And be it further enacted*, That the registers and receivers aforesaid, shall complete and transmit their reports to the Secretary of the Treasury, before the first day of December next. Each of the said officers shall be allowed an additional compensation of five hundred dollars; and each of the clerks of the respective boards shall be allowed an additional compensation of two hundred and fifty dollars, in full for his services, as such, in relation to such claims.

SEC. 4. *And be it further enacted*, That the register and receiver of public monies in the district of Cincinnati be, and they are hereby authorized to grant certificates of a right of pre-emption to any person residing on any reserved section (other than section No. 16) for the tract on which he resides, on the applicant's producing satisfactory evidence that his claim was within the provisions of the seventh section of an act, intituled "An act making provision for the disposal of the public lands, in the Indiana Territory, and for other purposes:" *Provided*, That the person shall exhibit the evidence of his claim, and shall have paid at least one-twentieth part of the purchase money, on or before the first.

day of August next: *And provided also*, That such certificates shall not be granted for any lands previonally granted or sold, or for a larger tract than a quarter of a section, nor for any other tract than that on which he resides, and such land shall be granted at the same price, and on the payments being made, as for other public lands sold at private sale.

Proviso.
Certificates not to be granted for lands previously sold, &c.

(a) See Nos. 191, 196, 197, 200, 205, 210, 211, 214, 308, 312, 313, 321.

No. 200.—AN ACT confirming claims to land in the district of Vincennes; and for other purposes.

March 3, 1807.
Vol. 2, p. 446.

Be it enacted, &c., That all the decisions made by the commissioners appointed for the purpose of examining the claims of persons claiming lands in the district of Vincennes, in favour of such claimants as entered in the transcripts of decisions which have been transmitted by the said commissioners to the Secretary of the Treasury, according to law, be confirmed, and the same are hereby confirmed. (a)

Decisions of commissioners, transmitted to Secretary of the Treasury, confirmed.

SEC. 2. *And be it further enacted*, That the confirmations or grants of land, made in the said district of Vincennes, by the governors of the Northwest and Indiana Territories, prior to the establishment of the board of commissioners aforesaid, and in conformity with the act, intituled "An act for granting lands to the inhabitants and settlers at Vincennes and the Illinois country, in the territory northwest of the Ohio, and for confirming them in their possessions," be, and the same are hereby confirmed; unless when actually rejected by the said commissioners; although the persons entitled to the land may not have given notice of their claim, as required by the several acts making provision for the disposal of the public lands in the Indiana Territory: *Provided however*, That no other claims shall be confirmed by virtue of this section, than such as, having been entered on the territorial records, have, by the commissioners aforesaid, been inserted in their reports transmitted as aforesaid. (b)

Confirmations of the governor of the Northwest and Indiana Territories, confirmed by Congress, conditionally.

Proviso.

SEC. 3. *And be it further enacted*, That the several persons, or the legal representatives of the several persons, to whom or to whose assigns the several tracts of the tract of land near Vincennes, known by the name of the "Upper Prairie," have been heretofore confirmed, be and they are hereby respectively confirmed in their claims to the respective tracts also claimed by them, and in their actual possession, lying in that tract of land containing two hundred and forty-four acres, which is known by the name of "Continuation," and is situated between the boundaries of the tracts already confirmed, and the river Wabash.

Assurance of certain titles in the tract called "Continuation."

SEC. 4. *And be it further enacted*, That the several persons whose claims are confirmed by this act, and had not been actually located prior to the establishment of the board of commissioners, be, and they are hereby authorized to enter their locations with the register of the land office of Vincennes, on any part of the tracts set aside for that purpose, by virtue of the act, intituled "An act respecting the claims to lands in the Indiana Territory, and State of Ohio," and in conformity with the provisions of that act: *Provided*, That such location shall be made prior to the first day of July, one thousand eight hundred and eight; and the right of any person who shall neglect to locate prior to that day, shall become void, and forever be barred.

Claims confirmed under this act to be entered with the register of the land office of Vincennes.

Proviso.

SEC. 5. *And be it further enacted*, That every person, or the legal representative of every person, whose claim to a tract of land is confirmed by this act, and who had not previously obtained a patent for the same, from the governor either of the territory northwest of the Ohio, or of the Indiana Territory, shall whenever his claim shall have been located and surveyed, be entitled to receive from the register of the land office, at Vincennes, a certificate stating, that the claimant is entitled to receive a patent for such tract of land by virtue of this act; for which certificate the register shall receive one dollar; and which certificate shall entitle the party to a patent for the said tract, which shall issue in like manner as is provided by law for the other lands of the United States.

Persons whose claims are confirmed under this act, entitled to patents, &c., if they shall not previously have received them.

SEC. 7. *And be it further enacted*, That the public sales of the public lands in the district of Vincennes, may be continued six weeks, if the

Public sales in Vincennes, how

long to be kept open. term of three weeks now prescribed by law, shall not be found sufficient to offer all the lands within the said district for sale. (c)

(a) See Nos. 196, 197, 199, 205, 308, 312, 313.

(b) See Nos. 191, 196, 197, 199, 308, 312, 313.

(c) See Nos. 196, 197, 205, 207, 208, 218, 232, 237, 238, 317.

March 3, 1807. Vol. 2, p. 448. **No. 201.**—AN ACT making provision for the disposal of the public lands, situated between the United States military tract and the Connecticut Reserve, and for other purposes.

Land office at Jeffersonville, &c. [SECS. 1–4. Providing for land district between Cincinnati and Vincennes districts, with office at Jeffersonville, for appointment of land-officers, and sale of lands therein. See OHIO, No. 47.]

Lead mines to be reserved for the future disposal of Congress, &c. SEC. 5. *And be it further enacted*, That the several lead mines in the Indiana Territory, together with as many sections contiguous to each as shall be deemed necessary by the President of the United States, shall be reserved for the future disposal of the United States; and any grant which may hereafter be made for a tract of land containing a lead mine, which had been discovered previous to the purchase of such a tract from the United States, shall be considered fraudulent and null: and the President of the United States shall be, and is hereby authorized to lease any lead mine which has been or may hereafter be discovered in the Indiana Territory, for a term not exceeding five years.

President authorized to lease lead mines. *

May 18, 1808. Vol. 6, p. 72. **No. 202.**—AN ACT granting William Wells the right of pre-emption.

Pre-emption right to be granted. *Be it enacted, &c.*, That William Wells shall have the right of pre-emption to three hundred and twenty acres of land, to include his improvements situate at Fort Wayne, in the Indiana Territory, at the confluence of the rivers Saint Joseph's and St. Mary's, which form the Miami of the Lake; the boundaries of which shall be designated under the direction of the Secretary of the Treasury; which tract of land shall be granted to him at the same price, and on the same terms for which other public lands are sold at private sale, and the respective instalments of the purchase money shall become due at the same time with those of the first public lands which may be sold in the tract of six miles square, ceded by the treaty of Greenville to the United States, at the confluence of said rivers.

Feb. 3, 1809. Vol. 2, p. 514. **No. 203.**—AN ACT for dividing the Indiana Territory into two separate governments.

[See ILLINOIS, No. 326.]

Feb. 24, 1810. Vol. 2, p. 556. **No. 204.**—AN ACT to prescribe the mode in which application shall be made for the purchase of land at the several land offices; and for the relief of Joab Garret.

Joab Garret may withdraw his entry. SEC. 2. *And be it further enacted*, That Joab Garret shall be permitted to withdraw his entry, made on the second day of September, one thousand eight hundred and seven, at the land office at Vincennes, from the northwest quarter-section, number two, township number seven, south range number seven west; and the money paid by him on the said entry, shall be placed to his credit, on any purchase he shall or may have made of public land in the same district.

April 30, 1810. Vol. 2, p. 590. **No. 205.**—AN ACT providing for the sale of certain lands in the Indiana Territory, and for other purposes.

Certain lands to which Indian title has been extinguished to be added to the districts of Cincinnati and Vincennes. *Be it enacted, &c.*, That all that tract of land, to which the Indian title was extinguished by the treaty made at Fort Wayne, on the thirtieth day of September, in the year one thousand eight hundred and nine, lying west, and adjoining to the boundary line established by the treaty of Greenville, shall be attached to, and made a part of the district of Cincinnati; and the residue of the lands to which the Indian title was extinguished by the said treaty, and other treaties made at Vincennes in the same year, shall be attached to, and made a part of the

district of Vincennes; and the said lands, with the exception of section number sixteen, which shall be reserved in each township for the use of schools within the same, shall be offered for sale to the highest bidder, under the direction of the register of the land office, and of the receiver of public monies, at the places respectively where the land offices are kept, and on such day or days as shall by proclamation of the President of the United States, be designated for that purpose; the sales shall remain open at Cincinnati one week, and at Vincennes three weeks and no longer; the lands shall not be sold for less than two dollars an acre, and shall in every other respect be sold in tracts of the same size, and on the same terms and conditions, as have been or may be provided for lands sold in the same districts; all the lands in the said tracts, with the exception above mentioned, remaining unsold at the close of the said sales, may be disposed of at private sale by the register of the respective land offices, in the same manner, under the same regulations, for the same price, and on the same terms and conditions, as are, or may be provided by law for the sale of lands in the same districts, and patents shall be obtained in the same manner, and on the same terms as for other public lands, sold in the same districts. (a)

SEC. 2. *And be it further enacted*, That the several superintendents of public sales directed by this act, shall receive four dollars a day, for each day's attendance on the said sales.

SEC. 3. *And be it further enacted*, That from and after the first day of June next, the second principal meridian established by the surveyor-general in the Indiana Territory, shall be the boundary between the districts of Vincennes and Jeffersonville; and the lands included in the said districts respectively, according to the boundaries above mentioned, shall become a part of the district in which they are included, and shall be sold at the same place, in the same manner, and on the same terms and conditions as the other public lands, lying in the same district. (b)

SEC. 4. *And be it further enacted*, That any person or persons entitled to donation lands, in the district of Vincennes by any former resolution or act of Congress, and who were minors, or did not reside within the Indiana Territory during the time allowed by law for registering claims to land within the said district, and whose claims have not heretofore been presented to either of the boards of commissioners for adjusting claims to land at Vincennes and Kaskaskia, may, until the first day of November next, give notice, in writing, to the register of the land office of the said district of their claims, and have the evidence of the same recorded in the same manner, and on payment of the fees provided by an act, entitled "An act making provision for the disposal of the public lands in the Indiana Territory, and for other purposes;" and the right of any such persons neglecting to give such notice of his claim, and to have the evidence of the same recorded, shall become void, and for ever be barred. (c)

SEC. 5. *And be it further enacted*, That the register of the land office and the receiver of public monies at Vincennes, shall perform the same duties and exercise the same powers in relation to the claims filed with the register under this act, which by the last-recited act were enjoined on, or vested in the commissioners designated by the said act; and it shall also be the duty of the said register and receiver, to make to the Secretary of the Treasury a report of all the claims thus filed with the register of the land office, together with the substance of the evidence adduced in support thereof, with such remarks thereon as they may think proper; which report, together with a list of the claims, which in the opinion of the register and receiver ought to be confirmed, shall be laid by the Secretary of the Treasury before Congress at their next session, for their determination thereon; and the said register and receiver shall each be allowed an additional compensation of one hundred dollars, in full for their services in relation to such claims, and one hundred dollars for clerk hire. (d)

These lands to be offered for sale to the highest bidder.
Conditions, places, &c.

Lands unsold may be sold at private sale.

Compensation of the superintendents of the public sales.

Boundary between districts of Vincennes and Jeffersonville.

Sales to be regulated accordingly.

Certain claims to land in the district of Vincennes.

Mode of proceeding for having them recorded.

Persons not giving notice to be barred.

Register of the land office and the receiver of public moneys at Vincennes, how affected by this act.

Compensation.

(a) See Nos. 196, 197, 200, 207, 208, 218, 232, 237, 238, 317.

(b) See Nos. 196, 207, 231, 237, 238, 247, 256, 265, 297, 310, 313, 314, 316.

(c) See Nos. 191, 200, 210, 211, 214, 308, 312, 313, 321.

(d) See Nos. 196, 197, 199, 200, 308, 312, 313.

Feb. 25, 1811.
Vol 6, p. 98.

No. 206.—AN ACT providing for the sale of a tract of land lying in the State of Tennessee, and a tract in the Indiana Territory.

Conditions upon which the land for the permanent seat of Indiana government may be obtained.

SEC. 2. *And be it further enacted,* That the commissioners appointed by an act of the legislature of the Indiana Territory, to fix on a proper site for the permanent seat of government for the said Territory, be, and they are hereby authorized, and their successors in office, so soon as the surveys under the authority of the United States shall have been made of the lands which they shall select, and on producing a receipt from the receiver of public moneys, for at least one-twentieth part of the purchase money, to enter with the register of the land office for the district in which the land lies, any four quarter-sections of land adjoining to each other, which have not been reserved by any former act of Congress, and which the said commissioners may select and fix on as a site for the permanent seat of government for the said Territory; and payment shall be made therefor at the same price, and on the same terms and conditions, as are provided in respect to the other public lands sold at private sale in the same district; and on completing the payment of the purchase money, a patent shall be granted therefor, to the said commissioners and their successors in office in trust for the use of said Territory, for the purpose aforesaid. (a)

(a) See Nos. 215, 230.

Feb. 21, 1812.
Vol. 2, p. 684.

No. 207.—AN ACT to establish a land district in the Illinois Territory, east of the district of Kaskaskia, and to attach certain public lands to the district of Jeffersonville.

Part of the lands attached to the Vincennes district, how to be disposed of.

SEC. 3. *And be it further enacted, &c.,* That so much of the lands attached to the district of Vincennes, by virtue of the first section of an act, entitled "An act providing for the sale of certain lands in the Indiana Territory, and for other purposes," passed on the thirtieth day of April, one thousand eight hundred and ten, as lies east of the second principal meridian established by the surveyor-general, shall be attached to, and become a part of the district of Jeffersonville, and shall be offered at public sale at the land office for the said district, under the superintendence of the register and receiver of public monies for the said land office, and shall be sold in every other respect in the same manner, and on the same terms and conditions, as are provided by the above-mentioned act, except that the public sales for the said lands shall remain open only for six days. (a)

(a) See Nos. 196, 205, 231, 237, 238, 247, 256, 265, 297, 310.

April 23, 1812.
Vol. 2, p. 712.

No. 208.—AN ACT giving further time to the purchasers of public lands, northwest of the river Ohio, to complete their payments.

[See OHIO, No. 56.]

May 20, 1812.
Vol. 2, p. 741.

No. 209.—AN ACT to authorize the President of the United States to ascertain and designate certain boundaries.

[See OHIO, No. 57.]

Feb. 13, 1813.
Vol. 2, p. 800.

Certain decisions of the register and receiver of public moneys confirmed.

No. 210.—AN ACT confirming certain claims to lands in the district of Vincennes. *Be it enacted, &c.,* That all the decisions of the register and receiver of public monies for the district of Vincennes, made in favour of persons claiming donation lands in said district, as entered in a list of claims which in the opinion of the said register and receiver ought to be confirmed in pursuance of the act, entitled "An act providing for the sale of certain lands in the Indiana Territory, and for other purposes," passed on the thirtieth day of April, one thousand eight hundred and ten, which list is a part of their report to the Secretary of the Treasury, bearing date of the twenty-seventh day of May, one thousand eight hundred and twelve, be, and the same are hereby confirmed. (a)

SEC. 2. *And be it further enacted,* That the following persons whose claims, according to the aforesaid report, are not embraced by the provisions of the above-recited act, but which nevertheless in the opinion of the register and receiver ought to be confirmed, shall be, and their claims are hereby confirmed respectively, to the following quantities of land, that is to say: the heirs of Francis Peltier, the heirs of Bernice Lefevre, and the heirs of Jean Btt. Valecour, respectively, four hundred acres; Rene Campean, Francois Cardinal, the heirs of Joseph Pancake, the heirs of Jacob Howell, the heirs of Alexander Wilson, the heirs of Daniel Sullivan, and the heirs of Jacob Tevebaugh, respectively, one hundred acres.

Claims of certain persons confirmed.

SEC. 3. *And be it further enacted,* That the several persons whose claims are confirmed by this act, are hereby authorized to enter their locations with the register of the land office at Vincennes, on any part of the tract set apart for that purpose in said district, by virtue of the act, entitled "An act respecting claims to lands in the Indiana Territory and State of Ohio," and in conformity to the provisions of that act: *Provided,* That such locations shall be made prior to the first day of October next; and the right of any person who shall neglect to locate prior to that day shall become void and for ever be barred.

Locations to be entered accordingly.

SEC. 4. *And be it further enacted,* That every person, or the legal representative of every person, whose claim to a tract of land is confirmed by this act, shall, whenever his claim shall have been located and surveyed, be entitled to receive from the register of the land office at Vincennes a certificate, stating that the claimant is entitled to receive a patent for such tract of land by virtue of this act; for which certificate the register shall receive one dollar; and which certificate shall entitle the party to a patent for the said tract of land, which shall issue like manner as is provided by law for the other lands of the United States.

Persons entitled to land to receive certificates authorizing the granting of patents.

(a) See Nos. 191, 200, 205, 211, 214, 308, 312, 313, 321.

No. 211.—AN ACT giving further time to locate certain claims to lands, confirmed by an act of Congress, entitled "An act confirming certain claims to lands in the district of Vincennes."

Dec. 26, 1814.
Vol. 3, p. 163.

Be it enacted, &c., That the several persons whose claims were confirmed by the act of Congress, entitled "An act confirming certain claims to lands in the district of Vincennes," approved the thirteenth day of February, one thousand eight hundred and thirteen, and which have not been located, are hereby authorized to enter their locations with the register of the land office at Vincennes, on any part of the tract set apart for that purpose in said district, by virtue of an act, entitled "An act respecting claims to lands in the Indiana Territory and State of Ohio," and in conformity to the provisions of that act; and shall be entitled to receive their certificates and patents in the manner provided by the first-mentioned act; *Provided,* That such locations shall be made prior to the first day of July next. (a)

Certain locations to be entered with the register of the land office at Vincennes.

Proviso.

(a) See No. 199.

No. 212.—AN ACT for the relief of Daniel Perine.

Feb. 24, 1815.
Vol. 6, p. 150.

Be it enacted, &c., That the register and receiver of public moneys for the district of Cincinnati, shall permit Daniel Perine of Indiana Territory to enter and become the purchaser at private sale of the southeast quarter of section numbered twenty-five, of township numbered six, in range numbered one, west, in the Cincinnati district: if, on due inquiry, the said register and receiver shall be satisfied that the said quarter-section does not contain any salt spring or springs valuable for the purpose of making salt. And the said Daniel Perine shall be entitled to a grant for the aforesaid quarter-section on completing the payments therefor, on the terms and conditions provided for the sale of public land sold at private sale.

Authorized to enter certain lands.

March 5, 1816.
Vol. 3, p. 256.

No. 213.—AN ACT granting bounties in land and extra pay to certain Canadian volunteers.

Donations to citizens of the United States. Inhabitants of Canada at the commencement of hostilities, who suffered by taking a part on the side of the United States in the war.

Be it enacted, &c., That all such persons as had been citizens of the United States anterior to the late war, and were at its commencement inhabitants of the province of Canada, and who, during the said war, joined the armies of the United States, as volunteers, and were slain, died in service, or continued therein, till honorably discharged, shall be entitled to the following quantities of land, respectively, viz: Each colonel nine hundred and sixty acres; each major to eight hundred acres; each captain six hundred and forty acres; each subaltern officer to four hundred and eighty acres; each non-commissioned officer, musician, or private, to three hundred and twenty acres; and the bounties aforesaid shall extend to the medical and other staff, who shall rank according to their pay. And it shall be lawful for the said persons to locate their claims in quarter-sections, upon any of the unappropriated lands of the United States, within the Indiana Territory, which shall have been surveyed prior to such location, with the exception of salt springs, and lead mines therein, and of the quantities of land adjacent thereto, which may be reserved for the use of the same, by the President of the United States, and the section number sixteen, in every township to be granted to the inhabitants of such township, for the use of public schools; which locations shall be subject to such regulations, as to priority of choice, and the manner of location, as the President of the United States shall prescribe. (a)

Land warrants to be issued by the Secretary of War.

SEC. 2. *And be it further enacted,* That the Secretary for the Department of War, for the time being, shall from time to time, under such rules and regulations as to evidence as the President of the United States shall prescribe, issue to every person coming within the description aforesaid, a warrant for such quantity of land as he may be entitled to by virtue of the aforesaid provision; and in case of the death of such person, then such warrant shall be issued to his widow, or if no widow, to his child or children.

(a) See Nos. 220, 234.

April 16, 1816.
Vol. 3, p. 285.

No. 214.—AN ACT for the relief of certain claimants to land in the district of Vincennes.

Claims to lands in the district of Vincennes, confirmed by act of March 3, 1807.

Be it enacted, &c., That the several persons whose claims were confirmed by the act of Congress, entitled "An act confirming certain claims to land in the district of Vincennes, and for other purposes," approved the third day of March, one thousand eight hundred and seven; and the act entitled "An act confirming certain claims to land in the district of Vincennes," approved the thirteenth day of February, one thousand eight hundred and thirteen, which having been located cannot be surveyed agreeably to law, or which having been located have, in the opinion of the register of the land office, for the said district, been removed by the surveys of prior locations, from the spot intended to be occupied, are hereby authorized to enter their locations with the register of the land office at Vincennes, on any part of the tract set apart for that purpose in the said district, by virtue of the act, entitled "An act respecting claims to lands in the Indiana Territory and State of Ohio," and in conformity to the provisions of this act. (a)

(a) See Nos. 191, 196, 197, 199, 200, 205, 210, 211, 214, 308, 312, 313, 321.

April 19, 1816.
Vol. 3, p. 289.

No. 215. AN ACT to enable the people of the Indiana Territory to form a constitution and State government, and for the admission of such State into the Union on an equal footing with the original States.

Inhabitants authorized to form a government with such name as they please; to be admitted into the Union.

Be it enacted, &c., That the inhabitants of the Territory of Indiana be, and they are hereby authorized to form for themselves a constitution and State government, and to assume such name as they shall deem proper; and the said State, when formed, shall be admitted into the Union upon the same footing with the original States, in all respects whatever.

Limits.

SEC. 2. *And be it further enacted,* That the said State shall consist of all the territory included within the following boundaries, to wit: bounded on the east, by the meridian line which forms the western

boundary of the State of Ohio; on the south, by the river Ohio, from the mouth of the Great Miami River, to the mouth of the river Wabash; on the west, by a line drawn along the middle of the Wabash, from its mouth to a point, where a due north line drawn from the town of Vincennes, would last touch the northwestern shore of the said river; and from thence by a due north line, until the same shall intersect an east and west line, drawn through a point ten miles north of the southern extreme of Lake Michigan; on the north, by the said east and west line, until the same shall intersect the first-mentioned meridian line which forms the western boundary of the State of Ohio: *Provided*, That the convention hereinafter provided for, when formed, shall ratify the boundaries aforesaid; otherwise they shall be and remain as now prescribed by the ordinance for the government of the territory northwest of the river Ohio: *Provided, also*, That the said State shall have concurrent jurisdiction on the river Wabash, with the State to be formed west thereof, so far as the said river shall form a common boundary to both. (a)

Proviso.

SEC. 6. *And be it further enacted*, That the following propositions be, and the same are hereby offered to the convention of the said Territory of Indiana, when formed, for their free acceptance or rejection, which, if accepted by the convention, shall be obligatory upon the United States.

Proposition on the part of the United States, offered to the convention of the Territory. If accepted, to be obligatory upon the United States.

First. That the section numbered sixteen, in every township, and when such section has been sold, granted, or disposed of, other lands, equivalent thereto, and most contiguous to the same, shall be granted to the inhabitants of such township for the use of schools. (b)

Grant of land for schools.

Second. That all salt springs within the said territory, and the land reserved for the use of the same, together with such other lands as may, by the President of the United States, be deemed necessary and proper for working the said salt springs, not exceeding, in the whole, the quantity contained in thirty-six entire sections, shall be granted to the said State, for the use of the people of the said State, the same to be used under such terms, conditions and regulations as the legislature of the said State shall direct: provided the said legislature shall never sell nor lease the same, for a longer period than ten years at any one time. (c)

Salt springs.

Third. That five per cent. of the net proceeds of the lands lying within the said Territory, and which shall be sold by Congress from and after the first day of December next, after deducting all expenses incident to the same, shall be reserved for making public roads and canals, of which three-fifths shall be applied to those objects within the said State, under the direction of the legislature thereof, and two-fifths to the making of a road or roads leading to the said State under the direction of Congress. (d)

Five per cent. of the proceeds of the public lands reserved for roads and canals.

Fourth. That one entire township, which shall be designated by the President of the United States, in addition to the one heretofore reserved for that purpose, shall be reserved for the use of a seminary of learning, and vested in the legislature of the said State, to be appropriated solely to the use of such seminary by the said legislature. (e)

An additional township for a seminary of learning.

Fifth. That four sections of land be, and the same are hereby granted to the said State, for the purpose of fixing their seat of government thereon, which four sections shall, under the direction of the legislature of said State, be located at any time, in such township and range, as the legislature aforesaid may select, on such lands as may hereafter be acquired by the United States, from the Indian tribes within the said Territory: (f) *Provided*, That such locations shall be made prior to the public sale of the lands of the United States, surrounding such location: *And provided always*, That the five foregoing provisions, herein offered, are on the conditions that the convention of the said State shall provide by an ordinance irrevocable, without the consent of the United States, that every and each tract of land sold by the United States, from and after the first day of December next, shall be and remain exempt from any tax, laid by order or under any authority of the State, whether for State, county, or township, or any other purpose whatever, for the term of five years, from and after the day of sale. (g)

Four sections for the seat of government.

Proviso.

Proviso.

(a) See Nos. 193, 219.

(b) See Nos. 196, 205, 236, 249, 261, 278, 290, 315.

(c) See Nos. 195, 196, 216.

(d) See No. 225.

(e) See Nos. 196, 217, 305, 307.

(f) See Nos. 206, 230.

(g) See No. 169.

April 24, 1816.
Vol. 3, p. 296.

The President
authorized to
lease the United
States' saline.

No. 216.—AN ACT authorizing the President of the United States to lease the saline near the Wabash River, for a term not exceeding seven years.

Be it enacted, &c., That the President of the United States be, and he is hereby authorized to lease the United States' saline, near the Wabash River, for a term not exceeding seven years, from and after the end of the present term, on such conditions as will ensure the working the same most extensively and most advantageously to the United States. (a)

(a) See Nos. 195, 196, 215.

April 27, 1816.
Vol. 6, p. 171.

Title to a tract
of land confirm-
ed.

No. 217.—AN ACT confirming the titles of certain purchasers of land who purchased from the board of trustees of the Vincennes University.

Be it enacted, &c., That the several persons who purchased land in township numbered two, south of range numbered eleven west, in the district of Vincennes, from the board of trustees for the Vincennes University, which was incorporated by an act of the legislature of the Indiana Territory, entitled "An act to incorporate a university in the Indiana Territory," passed the twenty-ninth day of November, one thousand eight hundred and six, be, and they are hereby, confirmed in their titles in fee-simple, respectively. (a)

(a) See Nos. 196, 215, 305, 307.

April 27, 1816.
Vol. 3, p. 317.

Sale of lands in
the district of
Jeffersonville.

No. 218.—AN ACT to authorize the sale of lands forfeited to the United States, in the district of Jeffersonville, at the land office in said district.

Be it enacted, &c., That the register and receiver of the land office for the district of Jeffersonville be, and they are hereby authorized to expose to public sale, to the highest bidder, at the land office aforesaid, any tract or tracts of land which may hereafter become forfeited to the United States for non-payment, under such terms and conditions as are, or may be, prescribed by law.

SEC. 2. *And be it further enacted,* That so much of any former act of Congress as requires the register and receiver of the district aforesaid, to expose to public sale, at the court-house of the county in which the said land office is established, any tract or tracts of land which may become forfeited to the United States for non-payment, be, and the same is hereby repealed. (a)

(a) See Nos. 196, 197, 198, 200, 205, 207, 208, 232, 237, 238, 317.

Dec. 11, 1816.
Vol. 3, p. 399.

Indiana admit-
ted into the Union
as a State.

No. 219.—RESOLUTION for admitting the State of Indiana into the Union.

Whereas in pursuance of an act of Congress, passed on the nineteenth day of April, one thousand eight hundred and sixteen, entitled "An act to enable the people of Indiana Territory to form a constitution and State government, and for the admission of that State into the Union," the people of the said Territory did, on the twenty-ninth day of June, in the present year, by a convention called for that purpose, form for themselves a constitution and State government, which constitution and State government, so formed, is republican, and in conformity with the principles of the articles of compact between the original States and the people and States in the territory northwest of the river Ohio, passed on the thirteenth day of July, one thousand seven hundred and eighty-seven.

Resolved, &c., That the State of Indiana shall be one, and is hereby declared to be one, of the United States of America, and admitted into the Union on an equal footing with the original States, in all respects whatever. (a)

(a) See Nos. 193, 215.

March 3, 1817.
Vol. 3, p. 393.

Six months'
service, and
name on the mus-
ter-roll, a condi-
tion of bounty.
Proviso.

No. 220.—AN ACT to amend the act, entitled "An act granting bounties in land and extra pay to certain Canadian volunteers," passed the fifth of March, one thousand eight hundred and sixteen.

Be it enacted, &c., That from and after the passing of this act, no bounty in land shall be given to any Canadian volunteer, except where it shall appear that the full term of six months' service shall have been performed in some corps in the United States service, and whose name shall appear upon the muster-rolls of such corps: *Provided,* That where it shall appear that the said term of service had not been performed by

reason of wounds received in battle, or other disabilities, occasioned by the performance of his duty while in such corps, such claimant shall be considered as having performed the full term of service for which he had engaged.

SEC. 2. *And be it further enacted*, That all warrants issued in pursuance of the act, entitled "An act granting bounties in land and extra pay to certain Canadian volunteers," and which have not been located, and those which shall be issued in pursuance of this act, shall be located on such lands as have been offered at public sale according to law, and no other. Warrants to be located on lands offered at public sale.

SEC. 3. *And be it further enacted*, That instead of the bounty given in the act hereby amended, the following rates shall be given: For a colonel; four hundred and eighty acres; for a major, four hundred and eighty acres; for a captain, three hundred and twenty acres; for a subaltern, three hundred and twenty acres; to a non-commissioned officer, musician, or private, one hundred and sixty acres; and to the medical and other staff, in proportion to their pay. Rates of land to grades specified.

SEC. 4. *And be it further enacted*, That all such parts of the act hereby amended, as shall be inconsistent with, or contravene, the provisions of this act, are hereby repealed. Contrary provisions of former act repealed.

SEC. 5. *And be it further enacted*, That this act, together with the act hereby amended, shall continue, and be in force, for the term of one year, and no longer. (a) This and former act in force for a year.

(a) Sec. Nos. 213, 234.

No. 221.—AN ACT for the relief of Samuel Aikman.

Jan. 14, 1818.
Vol. 6, p. 197.

Be it enacted, &c., That the register and receiver of public moneys of the land office for the district of Vincennes, on satisfactory evidence being produced to them that James Aikman, who entered at the said office the northwest quarter of section thirty-four, in township two north, and range seven west, had made application for the purchase of the said quarter-section through mistake, intending at that time to have applied for the northwest quarter-section thirty-five, in the same township and range, and that the occasion of the mistake in his application was the erroneous numbers marked at the corner of the aforesaid section on surveying the said lands, shall permit Samuel Aikman, the assignee of James Aikman, to withdraw the aforesaid entry, and, in lieu thereof, to enter the last-mentioned quarter-section, if the same shall at that time remain unsold; and the receiver of public moneys shall allow the said Samuel Aikman a credit on the said entry, or, in case of the previous sale of the land, on any other entry which he shall make of land within the said district, equal in amount to the moneys paid on the first-mentioned quarter-section: *Provided*, That no credit for the moneys paid as aforesaid shall be allowed, until the said Samuel Aikman shall have returned the patent to him granted for the first-mentioned quarter-section to the said register, who shall transmit it to the General Land Office, where the same shall be cancelled. Allowed to rectify mistake in an entry made by James Aikman.

Proviso.

No. 222.—AN ACT for the relief of Joel Earwood.

Jan. 22, 1818.
Vol. 6, p. 198.

Be it enacted, &c., That the receiver of public moneys for the district of lands offered for sale at Jeffersonville be, and he is hereby, authorized and required to permit Joel Earwood to transfer, to any entry of lands he may make in said district, any moneys he may have paid into said office, on the northeast quarter of section numbered twenty-one, of township six, and range nine east, in said district; and the register of the said land office shall permit the said Earwood to withdraw his entry for the quarter-section aforesaid. Allowed to transfer moneys to any entry of land, &c.

No. 223.—AN ACT to authorize certain purchasers of public land to withdraw their entries and transfer the moneys paid thereon.

March 9, 1818.
Vol. 6, p. 200.

Be it enacted, &c., That the following persons shall be permitted to withdraw their respective entries, made with the register of the land office for the district of Jeffersonville, for the purchase of land in said district, viz: Abraham Wiseman, for the northeast and northwest quarters of section four, township four south, range one east; John Bones, for the northwest quarter of section thirty-four, township three south, range one east; Gory Jones, for the southeast quarter of section four, Persons permitted to withdraw their entries from the land office for Jeffersonville.

Receiver to allow credit for other lands, &c.

Proviso.

township four south, range one east; Abraham Van Winkell, for the northwest quarter of section three, township four south, range one east; and Joseph Tibbs, for the northeast quarter of section twenty-eight, township three south, range one east. And the receiver of public moneys for the said district shall be authorized to allow to any of the said persons, who shall withdraw his entry as aforesaid, a credit, on any purchase he shall or may have made of other public lands in the same district, for the moneys paid on the entry by him withdrawn: *Provided*, That the said entries shall not be withdrawn until it shall be made appear, to the satisfaction of the register and receiver of public moneys for the said district, that the said entries, or either of them, were made in mistake, in consequence of the erroneous marks of the surveyor; and in case of patents having been granted, the same shall be returned to the register, and, by him, to the General Land Office, and shall be there cancelled.

March 18, 1818. **No. 224.**—AN ACT providing for the sale of certain lands in the district of Marietta, and for the location of claims and sale of certain lands in the district of Vincennes.

[See OHIO, No. 81.]

April 11, 1818. **No. 225.**—AN ACT to provide for paying to the State of Indiana three per cent of the net proceeds arising from the sales of the United States lands within the same.

The Secretary of the Treasury, from time to time, to pay 3 per cent. of the net proceeds of public lands in Indiana, to persons authorized by the legislature of that State to receive it.

The sums to be applied to making public roads, &c.

An annual account of the application of the money to be sent to the Secretary of the Treasury, &c.

Be it enacted &c., That the Secretary of the Treasury shall, from time to time, and whenever the quarterly accounts of public moneys of the several land offices shall be settled, pay three per cent. of the net proceeds of the lands of the United States, lying within the State of Indiana, which, since the first day of December, one thousand eight hundred and sixteen, have been, or hereafter may be, sold by the United States, after deducting all expenses incidental to the same, to such person or persons as may be authorized by the legislature of the said State to receive the same; which sums, thus paid, shall be applied to making public roads and canals within the said State, in conformity to the provision on the subject, contained in the act, entitled "An act to enable the people of the Indiana Territory to form a constitution and a State government, and for the admission of such State into the Union, on an equal footing with the original States," and to no other purpose whatever; and an annual account of the application of the same shall be transmitted to the Secretary of the Treasury, by such officer of the State as the legislature thereof shall direct; and in default of such return being made, the Secretary of the Treasury is hereby required to withhold the payment of any sum that may then be due, or which may thereafter become due, until a return shall be made, as herein required. (a)

(a) See No. 215.

April 20, 1818.
Vol. 6, p. 211.

No. 226.—AN ACT for the relief John Seybold.

Permitted to withdraw his entry with the register of the land office at Vincennes, &c.

Be it enacted, &c., That John Seybold be permitted to withdraw his entry with the register of the land office for the district of Vincennes, for the purchase of the southwest quarter of section number twenty-five, in township number one north, of range number two west. And the receiver of public moneys for the said district shall be authorized to allow the said Seybold a credit on any purchase he shall or may have made of other public lands in the same district for the money paid on the entry by him withdrawn.

April 20, 1818.
Vol. 3, p. 468.

No. 227.—AN ACT to adjust the claims to lots in the town of Vincennes, and for the sale of the land appropriated as a common for the use of the inhabitants of the said town.

The trustees of Vincennes authorized to adjust claims to lots in that town.

Be it enacted, &c., That the trustees of the town of Vincennes shall have power and they are hereby authorized to examine and adjust all claims to lots in the town of Vincennes; and if, upon an accurate survey, it shall be found that there are lots within the precincts of the town to which no individual claims can be substantiated, the same are hereby granted to the inhabitants thereof, to be sold by the trustees, and the money arising from the sale to be applied to such public pur-

poses as may be agreed upon by a majority of the citizens. And the said trustees are hereby empowered, in all cases, when they shall confirm claims to lots, to give deeds to the claimants for the same.

SEC. 2. *And be it further enacted*, That the trustees of the town of Vincennes shall have power, and they are hereby authorized, to dispose of a tract of land containing about five thousand four hundred acres, which, by the fifth section of the act, entitled "An act for granting lands to the inhabitants and settlers at Vincennes and the Illinois country, in the territory northwest of the Ohio, and for confirming them in their possessions," passed on the third day of March, one thousand seven hundred and ninety-one, was appropriated as a common, to the use of the inhabitants of the said town: the said tract shall be divided into lots, as the trustees shall direct, of not more than fifty nor less than the quantity of five acres, and shall be sold in the manner, and on the terms, which may by them be deemed most expedient and advantageous. They shall also have power to convey, by complete title, the lots sold to the purchasers; and the proceeds of the lands so disposed of, or so much thereof as may be necessary for the purpose, shall be applied, under the direction of the said trustees, to the draining of a pond in the vicinity of the town; and the residue of the money arising from the said sales, if any there be, shall be paid over to the trustees of the Vincennes University, and shall, by them, be applied to the benefit of the said university.

SEC. 3. *And be it further enacted*, That the said trustees, when they shall have performed the duties assigned to them under this act, shall make a report thereof to Congress. (a)

(a) See Nos. 191, 200.

No. 228.—AN ACT for the relief of William Barton.

Dec. 28, 1818.
Vol. 6, p. 216.

Be it enacted, &c., That the register and receiver of the land office at Vincennes be, and they are hereby, authorized to permit William Barton to withdraw his entry of the northeast quarter of section three, in township six, south of range twelve west, in said district, and to place the moneys by him paid on said entry, to his credit, on any purchase of public lands he may have made, or shall make, in the said district: *Provided*, It shall appear to the satisfaction of the said register and receiver, that the numbers on the corner designating the northeast quarter of section thirty-one, in township six, south of range twelve west, in said district, were so defaced, or imperfectly made, as to have caused a mistake in his aforesaid entry.

Entry of land may be withdrawn, and payments transferred.

Proviso.

No. 229.—AN ACT for the relief of Henry Batman.

March 3, 1819.
Vol. 6, p. 230.

Be it enacted, &c., That a patent shall be granted to Henry Batman, for the northeast quarter of section thirty, of township four south, and range six east, of the second principal meridian, in the Jeffersonville district, on the final settlement certificate which has been returned to the General Land Office, for the payment of the principal of the purchase money on the said quarter-section of land.

A patent for a tract of land to be granted to him.

No. 230.—AN ACT respecting the location of certain sections of lands to be granted for the seat of government in the State of Indiana.

March 3, 1819.
Vol. 3, p. 516.

Be it enacted, &c., That instead of four sections, provided to be located under the direction of the legislature of the State of Indiana, and to be granted for the purpose of fixing thereon the seat of government for that State, it shall be lawful to locate, for that purpose, under the direction of the legislature aforesaid, any contiguous quarter-sections, fractions, or parts of sections, not to exceed, in the whole, the quantity contained in four entire sections: such locations shall be made before the commencement of the public sales of the adjoining and surrounding lands, belonging to the United States. (a)

Instead of four sections, &c., any contiguous quarter-sections, fractions, &c., may be located under direction of the legislature.

(a) See Nos. 206, 215.

March 3, 1819.
Vol. 3, p. 521.

No. 231.—AN ACT to designate boundaries of districts, and establish land offices for the disposal of the public lands not heretofore offered for sale in the States of Ohio and Indiana.

[See OHIO, No. 85.]

April 24, 1820.
Vol. 3, p. 566.

No. 232.—AN ACT making further provision for the sale of the public lands.

[See OHIO, No. 88.]

May 12, 1820.
Vol. 6, p. 249.

No. 233.—AN ACT giving the right of pre-emption to James Shields.

Be it enacted, &c., That James Shields be, and he is hereby, entitled to a preference in becoming the purchaser, at private sale, of fractional section numbered eighteen, in township numbered six, north of range numbered six, east of the second principal meridian, within the limits of the Jeffersonville district; at the same price, and on the same terms and conditions, as are provided by law for the other public lands in the said district at private sale.

March 3, 1821.
Vol. 3, p. 641.

No. 234.—AN ACT to regulate the location of land warrants, and the issuing of patents, in certain cases.

Be it enacted, &c., That the holders, by assignment, of warrants issued under the acts of Congress, of the fifth of March, eighteen hundred and sixteen, the third of March eighteen hundred and seventeen, to Canadian volunteers, may be, and hereby are, authorized to locate the said warrants, and to receive patents therefor in their own names, as had been the practice before the twenty-sixth of December, eighteen hundred and nineteen: *Provided, however,* That in no case shall lands be so located, until, after having been exposed to public sale, shall remain unsold. (a)

(a) See Nos. 213, 220.

May 7, 1822.
Vol. 6, p. 270.

No. 235.—AN ACT granting a tract of land to William Conner and wife and to their children.

Be it enacted, &c., That William Conner be, and he is hereby, authorized and empowered to enter, with the register of the land office at Brookville, without payment, six hundred and forty acres of land, to include his improvements, at a place called the Delaware Towns, in the State of Indiana, which shall be bounded by sectional and divisional lines; and a patent shall issue for the same to the said William Conner and his wife, an Indian woman of the Delaware tribe, for and during the natural lives of the said William Conner and wife, jointly, and to the survivor of them during the natural life of such survivor, and to their children and legal representatives of any deceased child or children, as tenants in common, the representatives of any deceased child taking, together, such portion of the land as such child would have been entitled to if he or she had survived the said William Conner and his said wife, and the said land to be vested in the said children and their lawful heirs in fee-simple.

May 7, 1822.
Vol. 3, p. 686.

No. 236.—AN ACT authorizing the location of certain school lands in the State of Indiana.

Be it enacted, &c., That the register of the land office at Brookville be, and he is hereby, authorized to select school lands within the said district, equivalent to the one thirty-sixth part of the reservation commonly called Clark's Grant, for the use of schools within the same; and the register of the land office at Terre Haute is hereby in like manner authorized to select within his district school lands, which, together with the eleven sections already selected, shall be equivalent to the one thirty-sixth part of the Vincennes donation tract, for the use of schools within said tract. It shall be the duty of the registers afore-said, in making such selections, to be confined to section numbered twenty, in each township, and the selection so made shall be reserved from sale. (a)

(a) See Nos. 196, 205, 215, 249, 261, 278, 290, 315.

No. 237.—AN ACT to designate the boundaries of a land district, and for the establishment of a land office, in the State of Indiana.

May 8, 1822.
Vol. 3, p. 701.

Be it enacted, &c., That, for the sale of the unappropriated public lands in the State of Indiana, to which the Indian title is extinguished, the following district shall be formed, and a land office established: All the public lands as aforesaid, to which the Indian title was extinguished by the treaties concluded at St. Mary's in the month of October, eighteen hundred and eighteen, lying east of the range line separating the first and second ranges east of the second principal meridian, extended north to the present Indian boundary and north of a line to be run separating the tiers of townships numbered twenty and twenty-one, commencing on the old Indian boundary, in range thirteen east of the said principal meridian, in Randolph County, and the said district to be bounded on the east by the line dividing the States of Ohio and Indiana, shall form a district, for which a land office shall be established at Fort Wayne. (a)

A district and land office for the sale of unappropriated public lands in Indiana, &c.

Boundaries of the district.

A land office at Fort Wayne.

SEC. 2. *And be it further enacted,* That the President is hereby authorized to appoint, by and with the advice and consent of the Senate, for the aforesaid district, a register of the land office and a receiver of public moneys; which appointments shall not be made for the aforesaid land district until a sufficient quantity of public lands shall have been surveyed within the said district as to authorize, in the opinion of the President, a public sale of land within the same; which register of the land office and receiver of public moneys, when appointed, shall each, respectively, give security in the same sums, and in the same manner, and whose compensation, emoluments, and duties, and authority, shall, in every respect, be the same, in respect to the lands which shall be disposed of at their offices, as are or may be provided by law in relation to the registers and receivers of public moneys in the several land offices established for the disposal of the public lands of the United States in the States of Ohio and Indiana.

The President to appoint a register and receiver when a sufficient quantity of public land shall have been surveyed, &c.

Register and receiver to give security, &c.

SEC. 3. *And be it further enacted,* That all the public lands within the aforesaid district, to which the Indian title has been extinguished, and which have not been granted to, or secured for, the use of any individual or individuals, or appropriated and reserved for any other purpose by any existing treaties or laws, and with the exception of section numbered sixteen in each township, which shall be reserved for the support of schools therein, shall be offered for sale to the highest bidder, at the land office for the said district, under the direction of the register of the land office and receiver of public moneys, on such day or days as shall, by proclamation of the President of the United States, be designated for that purpose: the lands shall be sold in tracts of the same size, on the same terms and conditions, and in every respect, as provided by the act, entitled "An act making further provision for the sale of the public lands," approved April twenty-fourth, eighteen hundred and twenty. (b)

All the public lands in the district, not granted or reserved, &c., except section No. 16, &c., to be offered for sale to the highest bidder.

The lands to be sold in tracts, &c., as provided by act of April 24, 1820.

SEC. 4. *And be it further enacted,* That the President of the United States shall have power, and he is hereby authorized, to remove, whenever he shall judge it expedient so to do, the land office aforesaid, to such suitable place, within the said district, as he shall judge most proper.

The President may remove the land office to a suitable place whenever he judges it expedient.

SEC. 5. *And be it further enacted,* That the register of the land office and receiver of public moneys shall, each, receive five dollars for each day's attendance in superintending the public sales in the said district.

Five dollars a day to the register and receiver.

(a) See Nos. 196, 205, 207, 231, 238, 247, 256, 265, 297, 310, 313, 314, 316.

(b) See Nos. 196, 197, 198, 200, 205, 207, 208, 218, 232, 237, 238, 317.

No. 238.—AN ACT supplementary to the act, entitled "An act to designate the boundaries of districts, and establish land offices for the disposal of the public lands, not heretofore offered for sale, in the States of Ohio and Indiana."

March 3, 1823.
Vol. 3, p. 783.

Be it enacted, &c., That all the lands ceded and relinquished to the United States, by the Wea tribe of Indians, under the first article of the treaty held at Vincennes, on the eleventh [eleventh] day of August, eighteen hundred and twenty, and which is specified and designated by the second article of the treaty between the United States and the said tribe, concluded at St. Mary's, on the second day of October, eighteen hundred and eighteen, be, and the same is hereby, attached to the Terre Haute district for the sale of public lands in the State of Indiana. (a)

Lands ceded by the Wea Indians to be attached to the Terre Haute district.

Lands to be sold at the land office of the Terre Haute district, on such day or days as shall be designated by the President.

SEC. 2. *And be it further enacted*, That all the public lands specified, designated, and embraced, within the first and second article of the treaties aforesaid, which have not been granted to, or secured for, the use of any individual or individuals, or appropriated and reserved for any other purpose, by any existing treaties or laws, and, with the exception of section numbered sixteen, in each township, which shall be reserved for the support of schools therein, shall be offered for sale to the highest bidder, at the land office in the Terre Haute district, under the direction of the register of the land office and receiver of public moneys, on such day or days as shall, by proclamation of the President of the United States, be designated for that purpose. The lands shall be sold in tracts of the same size, on the same terms and conditions, and, every respect, as provided by the act, entitled "An act making further provision for the sale of the public lands," approved April twenty-fourth, eighteen hundred and twenty. (b)

Register and receiver to receive five dollars a day each.

SEC. 3. *And be it further enacted*, That the register of the land office and the receiver of public moneys shall, each, receive five dollars for each day's attendance in superintending the public sales of the land before described, according to the President's proclamation.

(a) See Nos. 196, 205, 207, 231, 237, 247, 256, 265, 297, 310, 313, 314, 316.

(b) See Nos. 196, 197, 198, 200, 205, 207, 208, 218, 232, 237, 238, 317.

May 26, 1824.
Vol. 4, p. 47.

No. 239.—AN ACT to authorize the State of Indiana to open a canal through the public lands, to connect the navigation of the rivers Wabash and the Miami of Lake Erie.

A route for a canal to be surveyed and marked, by which the navigation of the Wabash and Miami of Lake Erie may be connected.

Be it enacted, &c., That the State of Indiana be, and is hereby, authorized to survey and mark, through the public lands of the United States, the route of a canal, by which to connect the navigation of the rivers Wabash and Miami of Lake Erie; and ninety feet of land, on each side of said canal, shall be reserved from sale on the part of the United States, and the use thereof, forever, be vested in the State aforesaid, for a canal, and for no other purpose whatever.

The reservation and grant to be void, if a canal be not completed in twelve years.

SEC. 2. *And be it further enacted*, That, if the said State shall not survey, and direct by law said canal to be opened, and furnish the Commissioner of the General Land Office a map thereof, within three years from and after the date of this act; or, if the said canal be not completed, suitable for navigation, within twelve years thereafter; or, if said land, hereby granted, shall ever cease to be used and occupied for the purpose of constructing and keeping in repair a canal, suitable for navigation; the reservation and grant aforesaid shall be void, and of none effect: *Provided*, That nothing in this act contained, or [that] shall be done in pursuance thereof, shall be deemed to imply any obligation on the part of the United States, to appropriate money to defray the expense of surveying or opening said canal: *And provided, likewise*, That the said canal, when completed, shall be, and forever remain, a public highway, for the use of the Government of the United States, free from any toll or charge whatever, for any property of the United States, or persons in their service, on public business, passing through the same.

Proviso.

Proviso.

Each section of land through which said canal may pass, to be reserved from future sale.

SEC. 3. *And be it further enacted*, That every section of land through which said canal route may pass, shall be, and the same is hereby, reserved from future sale, under the direction of the Commissioner of the General Land Office, until hereafter specially directed by law; and the said State is hereby authorized, without waste, to use any materials on the public lands adjacent to said canal, that may be necessary for its construction. (a)

(a) See Nos. 245, 254, 255, 272, 289, 291, 294, 302.

March 3, 1825.
Vol. 4, p. 125.

No. 240.—AN ACT * * * for the relief of John Johnson.

The Secretary of the Treasury, when satisfied that John Johnson, of Indiana, did enter,

Be it enacted, &c., That, when the Secretary of the Treasury shall be satisfied that John Johnson, of Indiana, did enter, at the Brookville land office, in said State, the east half of the notheast quarter of section thirty-five, and the west half of the northwest quarter of section thirty-six, in township seventeen, north, in range four, east, by mistake, instead of the east half of the southeast quarter, and the west half of the

southwest quarter of the same sections, it shall be lawful for a patent through mistake, to be issued to the said John Johnson for the two last-mentioned half-certain half quarter sections of quarters, so intended to be entered, on his relinquishing to the United land, shall issue States his interest in, and surrendering the patent issued for, the two to him a patent first-mentioned half-quarters, in such manner as shall be directed by for two others. the Secretary of the Treasury.

* * * * *

No. 241.—AN ACT for the relief of William M. Dever.

May 16, 1826.
Vol. 6, p. 343.

Be it enacted, &c., That it shall be lawful for William M. Dever, of the county of Perry, and State of Indiana, to enter with the register of the land office at Vincennes, in the State aforesaid, the west half of the northwest quarter of section seven, in township six, south of range one west, in the Vincennes district; and, upon such entry being made, it shall be the duty of the register aforesaid, to issue to the said William M. Dever, a certificate for the aforesaid half quarter-section. And it shall be the duty of the Commissioner of the General Land Office to issue a patent for the half quarter-section of land so entered, whenever the certificate aforesaid shall be presented to him for that purpose: *Provided*, That before such entry shall be made, the said William M. Dever shall surrender to the register of the land office aforesaid, the patent which he now holds from the United States, for the west half of the northwest quarter of section seven, in township five south, of range one west, accompanied by such a release of his interest to the land therein specified, as the Commissioner of the General Land Office shall direct: *And provided, also*, That the said William M. Dever shall produce evidence, to the satisfaction of the register and receiver of the land office at Vincennes aforesaid, that his entry with the said register, of the half quarter-section of land described in the foregoing proviso of this act, and for which a patent was issued to the said William M. Dever, was occasioned by an error of the surveyor, in marking the number of the township, in the range aforesaid.

May enter land
in Vincennes dis-
trict.

Proviso.

Proviso.

SEC. 2. *And be it further enacted*, That the west half of the northwest quarter of section seven, in township six south, of range one west, in the district aforesaid, shall be reserved from entry, for the term of one year, from and after the passage of this act; unless the same shall be previously applied for, by the said William M. Dever, under the provisions of this act.

A certain tract
reserved from
entry for one
year, &c.

No. 242.—AN ACT for the relief of James Wolcott, and Mary his wife, of the State of Ohio.

May 18, 1826.
Vol. 6, p. 343.

Be it enacted, &c., That the Secretary of the Treasury be, and he is hereby, authorized and required to pay, out of any money in the Treasury not otherwise appropriated, unto James Wolcott, and Mary his wife, of the State of Ohio, late Mary Wells, a half-blooded Indian, of the Miami nation, the sum of nineteen hundred and twenty dollars, in lieu of, and in full satisfaction for, a section of land, which was reserved to her by the treaty held at St. Mary's in the State of Ohio, on the sixth of October, one thousand eight hundred and eighteen, between the United States and the Miami nation of Indians, and which is described in said treaty, as "lying at the mouth of Stony Creek, on the southeast side of the Wabash River, the centre of which was to be at the mouth of said creek, running with the meanders thereof, up and down said river, one half mile, and thence back, for quantity;" about two hundred acres of which said section of land has since been sold, by mistake of the officers of the Government of the United States, at the land office at Crawfordsville, in the State of Indiana: *Provided, however*, That, before the payment of the said sum of nineteen hundred and twenty dollars, or any part thereof, to the said James Wolcott, and Mary his wife, they shall execute a release, conveying all their interest in and to said section of land to the United States, which they shall deposit with the Commissioner of the General Land Office.

Payment to
them in full sat-
isfaction for a
tract of land sold
by mistake.

Proviso.

May 20, 1826.
Vol. 6, p. 348.

No. 243.—AN ACT for the relief of Jacob Hampton.

Patent for a fractional section of land to be issued.

Be it enacted, &c., That the Commissioner of the General Land Office be, and he is hereby, authorized and required to make out and deliver, or cause to be delivered, to Jacob Hampton, of Wayne County, in the State of Indiana, a patent, in due form, for the fractional section number seven, in township number fourteen, and range one west, of the lands directed to be sold at Cincinnati, agreeably to the final receipt given to the said Jacob Hampton for the said fractional section, when the same shall be demanded.

March 2, 1827.
Vol. 4, p. 234.

No. 244.—AN ACT to authorize the State of Indiana to locate and make a road therein named.

General assembly authorized to locate and make a road from Lake Michigan, by the way of Indianapolis, to some convenient point on the Ohio River.

Be it enacted, &c., That the general assembly of the State of Indiana shall be, and the same are hereby, authorized to locate and make a road from Lake Michigan, by the way of Indianapolis, to some convenient point on the Ohio River, agreeably to the second article of a treaty made and concluded near the mouth of the Mississinowa, upon the Wabash, in the State of Indiana, the sixteenth day of October, in the year of our Lord one thousand eight hundred and twenty-six, between the commissioners on the part of the United States, and the chiefs and warriors of the Potawatamie tribe of Indians; and the said general assembly are hereby authorized to apply the strip of land and the sections of land, by said article ceded to the United States, or the proceeds thereof, to the making of the same; and the said grant shall be at their sole disposal. (a)

(a) See Nos. 257, 270.

March 2, 1827.
Vol. 4, p. 236.

No. 245.—AN ACT to grant a certain quantity of land to the State of Indiana, for the purpose of aiding said State in opening a canal to connect the waters of the Wabash River with those of Lake Erie.

A certain quantity of land granted to said State, for opening a canal to unite at navigable points, the waters of the Wabash River with those of Lake Erie.

Be it enacted, &c., That there be, and hereby is, granted to the State of Indiana, for the purpose of aiding the said State in opening a canal to unite at navigable points the waters of the Wabash River with those of Lake Erie, a quantity of land equal to one half of five sections in width, on each side of said canal, and reserving each alternate section to the United States, to be selected by the Commissioner of the Land Office, under the direction of the President of the United States, from one end thereof to the other; and the said lands shall be subject to the disposal of the legislature of said State, for the purpose aforesaid, and no other: *Provided*, That the said canal, when completed, shall be, and forever remain, a public highway for the use of the Government of the United States, free from any toll, or other charge, whatever, for any property of the United States, or persons in their service passing through the same: *Provided*, That said canal shall be commenced within five years, and completed in twenty years, or the State shall be bound to pay to the United States the amount of any lands previously sold, and that the title to purchasers under the State shall be valid. (a)

Proviso.

Proviso.

Duty of the governor of said State, when the canal is located, &c.

SEC. 2. *And be it further enacted*, That, so soon as the route of the said canal shall be located and agreed on by the said State, it shall be the duty of the governor thereof, or such other person or persons as may have been, or shall hereafter be, authorized to superintend the construction of said canal, to examine and ascertain the particular lands to which the said State will be entitled under the provisions of this act, and report the same to the Secretary of the Treasury of the United States.

Power given to the legislature to sell.

SEC. 3. *And be it further enacted*, That the said State, under the authority of the legislature thereof, after the selection shall have been so made, shall have power to sell and convey the whole, or any part of the said land, and to give a title, in fee-simple, therefor, to whomsoever shall purchase the whole or any part thereof.

(a) See Nos. 239, 254, 255, 272, 289, 291, 294, 302.

March 2, 1827.
Vol. 4, p. 236.

No. 246.—AN ACT to authorize the President of the United States to ascertain and designate the northern boundary of the State of Indiana.

Surveyor-general, under the direction of the President, authorized and required to cause to be surveyed, &c., the northern

Be it enacted, &c., That the surveyor-general, under the direction of the President of the United States, be, and he is hereby, authorized and required to cause to be surveyed, marked, and designated, the northern boundary line of the State of Indiana, as divides said State from the Territory of Michigan, agreeably to the boundary as established by the act, entitled "An act to enable the people of the Indiana Territory to form a constitution and State government, and for the admission of such

State into the Union, on an equal footing with the original States," approved April the nineteenth, one thousand eight hundred and sixteen; and to cause to be made a plat or plan of the said northern boundary of the State, particularly noting the place where the boundary line intersects or touches the margin of Lake Michigan, and return the same, when made, to Congress: *Provided*, That the whole expense of surveying and marking said boundary line shall not exceed five dollars for every mile that shall be actually surveyed and marked, which shall be paid out of the moneys appropriated for defraying the expense of surveying public lands. (a)

boundary line of said State, dividing said State from the Territory of Michigan.

Proviso.

(a) See Nos. 193, 203, 269, 276.

No. 247.—AN ACT extending the limits of certain land offices in Indiana, and for other purposes.

April 28, 1828.
Vol. 4, p. 264.

Be it enacted, &c., That all the lands in the State of Indiana, to which the Indian title is extinguished, which lies east of the line dividing the first and second ranges east of the second principal meridian, and north of the southern boundary of the Fort Wayne district, shall be attached to the land district, the land office of which is established at Fort Wayne; and that all the lands to which the Indian title is extinguished in said State, and which may lie west of the line dividing the first and second ranges east of the second principal meridian, shall be attached to the land district, the land office of which is established at Crawfordsville.

Lands lying east of the second principal meridian and north of the southern boundary of Fort Wayne district, attached to the land district.

SEC. 2. *And be it further enacted*, That the surveyor-general shall cause the second principal meridian to be extended to the northern boundary of the State of Indiana: *Provided*, The assent of the Indians be obtained to the running and marking that portion of the meridian line which may lie within the lands not ceded to the United States. (a)

Second principal meridian to be extended to the northern boundary.
Proviso.

(a) See Nos. 196, 205, 207, 231, 237, 238, 256, 265, 297, 310, 312, 314, 316.

No. 248.—AN ACT for the relief of Francis English, of Indiana.

May 23, 1828.
Vol. 6, p. 380.

Be it enacted, &c., That the Secretary of the Treasury be, and he is hereby, authorized to cause a patent to be issued to Francis English, of the State of Indiana, for the west half of the southeast quarter of section twenty-four, town fourteen, in range eight, in the district of land sold at Indianapolis, in that State, upon the said Francis English relinquishing to the United States, in such manner as the said Secretary shall prescribe, the west half of the southeast quarter of section twenty-four, town fourteen, in range nine, in the same district, entered for the said Francis by mistake.

Patent to issue for a section of land in Indiana.

No. 249.—AN ACT to authorize the legislature of the State of Indiana to sell the lands heretofore appropriated for the use of schools in that State.

May 24, 1828.
Vol. 4, p. 298.

Be it enacted, &c., That the legislature of the State of Indiana shall be, and is hereby, authorized to sell and convey, in fee-simple, all, or any part, of the lands heretofore reserved and appropriated by Congress for the use of schools within said State, and to invest the money arising from the sale thereof in some productive fund, the proceeds of which shall be forever applied, under the direction of said legislature, for the use and support of schools, within the several townships and districts of country for which they were originally reserved and set apart, and for no other use or purpose whatsoever: *Provided*, Said land, or any part thereof, shall, in no case, be sold without the consent of the inhabitants of such township, or district, to be obtained in such manner as the legislature of said State shall, by law, direct: *And provided, also*, That in the apportionment of the proceeds of said fund, each township and district aforesaid shall be entitled to such part thereof, and no more, as shall have accrued from the sum or sums of money arising from the sale of the school lands belonging to such township or district. (a)

Legislature of the State of Indiana authorized to sell, &c., in fee-simple, all, or any part, of the lands heretofore reserved by Congress for the use of schools within said State.
Proviso.

SEC. 2. *And be it further enacted*, That, if the proceeds accruing to any township or district, from said fund, shall be insufficient for the support of schools therein, it shall be lawful for said legislature to invest the same, as is hereinbefore directed, until the whole proceeds of the fund belonging to such township or district shall be adequate to the permanent maintenance and support of schools within the same.

Where proceeds are insufficient for the support of schools in any township.

(a) See Nos. 196, 205, 215, 236, 261, 278, 290, 315.

May 24, 1828.
Vol. 4, p. 305.

No. 250.—AN ACT to aid the State of Ohio in extending the Miami Canal from Dayton to Lake Erie, and to grant a quantity of land to said State to aid in the construction of the canals authorized by law; and for making donations of land to certain persons in Arkansas Territory.

[See OHIO, No. 117.]

May 24, 1828.
Vol. 6, p. 385.

No. 251.—AN ACT for the relief of Benjamin Freeland, of Indiana.

May relinquish
a certain tract of
land and enter
other land.

Proviso.

Be it enacted, &c., That Benjamin Freeland, of Indiana, be, and hereby is, authorized to relinquish to the United States, in such manner as the Commissioner of the General Land Office shall prescribe, the northeast, northwest, and southwest quarters of section number five, in township number eleven, range number one, west, of the second principal basis meridian, in Terre Haute land district, in the State of Indiana; *Provided,* He shall show, to the satisfaction of the register and receiver of that district, that the right of the said three quarter-sections is in him at the time of making such relinquishment; and, thereupon, the said Freeland shall be permitted to enter three quarter-sections of any land within the said land district, subject to purchase at private sale.

Jan. 13, 1830.
Vol. 6, p. 402.

No. 252.—AN ACT for the relief of Elijah Carr.

Authorized to
relinquish cer-
tain land.

Authorized to
enter certain
other land.

Proviso.

Be it enacted, &c., That Elijah Carr, assignee of Elisha Carr, be, and he is hereby, authorized to relinquish to the United States, in such manner and form as the Commissioner of the General Land Office may prescribe, the southeast quarter of section thirty-four, in township three north, of range two east, in the district of lands offered for sale by the United States at Jeffersonville.

SEC. 2. *And be it further enacted,* That the said Elijah Carr be authorized to enter at the office of the register of the land office at Jeffersonville aforesaid, the northeast quarter of section three, in township two north, of range two east; and to receive from the United States a patent for the same: *Provided,* That said quarter-section of land last described shall remain unsold, and that the said Elijah Carr shall make the relinquishment and entry aforesaid, prior to the fourth day of July next.

May 28, 1830.
Vol. 4, p. 413.

No. 253.—AN ACT to repeal a part of an act, passed the twenty-sixth day of March, one thousand eight hundred and four, entitled "An act making provisions for the disposal of the public lands in the Indiana Territory, and for other purposes."

Examination
of land office
books discontin-
ued.

Be it enacted, &c., That so much of an act, approved the twenty-sixth day of March, in the year one thousand eight hundred and four, entitled "An act making provisions for the disposal of the public lands in the Indiana Territory, and for other purposes," as makes it the duty of the Secretary of the Treasury to cause, at least once every year, the books of the offices to be examined, and the balance of public moneys in the hands of the several receivers of public moneys of the said offices to be ascertained, be, and the same is hereby repealed. (a)

(a) See No. 196.

May 29, 1830.
Vol. 4, p. 416.

No. 254.—AN ACT to vest in the State of Indiana certain lands within the limits of the canal grant.

Certain lands
vested, &c.

Be it enacted, &c., That there be vested in the State of Indiana twenty-nine thousand five hundred and twenty-eight acres and seventy-eight hundredths of the public lands, to be selected by the canal commissioners of said State, from the alternate sections reserved to the United States in the division made under "An act to grant a certain quantity of land to the State of Indiana, for the purpose of aiding said State in opening a canal to connect the waters of the Wabash River with those of Lake Erie," approved March second, one thousand eight hundred and twenty-seven, which shall be in lieu of the aforesaid quantity heretofore sold by the United States, permanently reserved by treaty to individuals, and located by individual grants before the division aforesaid, and which would otherwise have become the property of the said State in virtue of the act above referred to; the selections aforesaid to be made and reported by the commissioners to the proper land offices, before the reserved sections aforesaid shall be offered for sale. (a)

(a) See Nos. 239, 245, 253, 272, 289, 291, 294, 302.

No. 255.—AN ACT authorizing the county of Allen to purchase a portion of the reservation including Fort Wayne.

May 31, 1830.
Vol. 6, p. 448.

Be it enacted, &c., That the associate judges of the county of Allen, and State of Indiana, be, and they are hereby, authorized to enter, at minimum price, for the use and benefit of said county, so much of the forty acres reservation, including Fort Wayne, and reserved for the use of the Indian agency, established there as may not fall to the State of Indiana, under the act of the second day of March, one thousand eight hundred and twenty-seven, entitled "An act to grant a certain quantity of land to the State of Indiana, for the purpose of aiding said State in opening a canal to connect the waters of the Wabash River with those of Lake Erie." (a)

Authorized to enter a tract of land.

(a) See Nos. 239, 245, 254, 272, 289, 291, 294, 302.

No. 256.—AN ACT to establish a land office in the territory of Michigan, and for other purposes.

Feb. 19, 1831.
Vol. 4, p. 442.

* * * * *

SEC. 9. *And be it further enacted,* That all the lands to which the Indian title is extinguished, lying in that part of the State of Indiana which is east of the Lake Michigan, bordering upon the northern line of said State, and not attached to any land district, shall be, and the same are hereby, attached to the Fort Wayne district. (a)

Fort Wayne district, in Indiana, extended.

(a) See Nos. 196, 205, 231, 237, 238, 247, 265, 297, 310, 312, 314, 316.

No. 257.—AN ACT confirming the selections heretofore made of lands for the construction of the Michigan road, in the State of Indiana.

March 2, 1831.
Vol. 4, p. 473.

Be it enacted, &c., That the selections and locations heretofore made by the State of Indiana, of the Michigan road lands, so far as they may remain unsold, be, and the same are hereby, sanctioned and confirmed; and that other public lands in Indiana, in lieu of those already sold, shall be selected under the same authority that the original selections and locations were made: *Provided,* That no selections or locations shall hereafter be made for the purpose aforesaid, until the authority of the State of Indiana shall cause to be made to the General Land Office an accurate survey and plat of the said road throughout its entire line.

Certain locations confirmed.

SEC. 2. *And be it further enacted,* That the land offices at Crawfordsville and Fort Wayne shall be duly notified, by the State authority, of the selections made in virtue of this act; after which, no sales thereof shall be made. (a)

(a) See Nos. 244, 270.

No. 258.—AN ACT for the relief of John Gough, * * *

March 3, 1831.
Vol. 6, p. 467.

Be it enacted, &c., That the President of the United States be authorized to issue to John Gough, of Indiana, a patent for the northeast quarter of section eleven, in township twelve, north, of range nine, west, in the Vincennes land district, upon the condition expressed therein, that neither said John, nor any person under him, shall claim any benefit under a patent erroneously issued for the southeast quarter of said section, and alleged to be lost.

Land patent to issue.

* * * * *

No. 259.—AN ACT for the relief of James Hogland.

March 3, 1831.
Vol. 6, p. 468.

Be it enacted, &c., That James Hogland, of the State of Indiana, be, and he is hereby, authorized to surrender and cancel, at the land office at Indianapolis, in such form as the Secretary of the Treasury may prescribe, his patent for the east half of the southeast quarter of section seventeen, in township fourteen, north, of range three, east, in the district of lands offered for sale at Indianapolis; and that he be permitted to enter, in lieu thereof, and without paying for the same, any other half quarter-section in said district subject to entry at private sale.

Authorized to surrender a certain tract of land, and enter another therefor, &c.

Feb. 24, 1832.
Vol. 6, p. 477.

No. 260.—AN ACT for the relief of Cornelius Overton.

Authorized to correct error in entry, &c.

Be it enacted, &c., That it shall and may be lawful for Cornelius Overton, of the State of Indiana, upon application at the land office at Vincennes, to correct the error committed by him in an entry, of the twenty-eight December, one thousand eight hundred and twenty-nine, for the east half of the northeast quarter of section numbered two, in township numbered four, south of range numbered thirteen west, and to apply the money paid on said quarter-section to the entry and payment therefor of the east half of the southwest quarter of section numbered thirty-six, in township numbered three, south of range numbered thirteen west, which is the tract of land the said Overton designed originally to enter and pay for.

Patent to be issued, &c.

SEC. 2. *And be it further enacted,* That upon the application of said Overton, as aforesaid, the register and receiver shall give to him the necessary vouchers, receipts, &c., in order to enable him to obtain a grant for the said half quarter-section, and shall take up from the said Overton the receipt given him for the payment made by him, or a release of his claim to the land aforesaid entered by mistake; and the said Overton shall be entitled to a patent for the land which he intended to enter, in the same manner as though he had correctly entered the said land: *Provided,* That this act shall not be construed to affect the right of any other person to the said half quarter-section numbered thirty-six, in township numbered three, south of range thirteen west.

Provided.

July 3, 1832.
Vol. 4, p. 558.

No. 261.—AN ACT to authorize the legislature of the State of Indiana to sell and convey certain lands granted to said State for the use of the people thereof.

Legislature authorized to sell and convey certain tracts of land.

Be it enacted, &c., That the legislature of the State of Indiana be, and is hereby, authorized to sell and convey, in such manner, and on such conditions, as said legislature shall by law direct, the following described tracts of land heretofore granted and set apart for the use of said State, namely: sections numbered thirteen progressively to thirty-six, inclusive; section sixteen excepted, in township numbered two, north of range two, west; and sections numbered one to twelve progressively and inclusive, in township one, north of range two, west; and the northeast quarter of section numbered fourteen, in township seven, north of range two, west; and the northwest quarter of section numbered twenty-six, in township one, north of range five, west, in the Vincennes district; likewise, section fifteen, in township two, north; section twenty-eight, in township three, north of range four, east; and fractional section, numbered thirty-one, in township nine, north of range two, east, of the Jeffersonville district; and to apply the proceeds of said sale to the purposes of education: *Provided,* That the legislature shall not authorize a sale of the said land at a less price than that at which the public lands are sold at private entry. (a)

Proceeds applied to education.

(a) See No. 306.

July 3, 1832.
Vol. 6, p. 502.

No. 262.—AN ACT for the relief of William McCormick.

May relinquish a certain tract of land entered by mistake, &c.

Be it enacted, &c., That it shall and may be lawful for William McCormick, of the State of Indiana, to file, in the land office at Fort Wayne, a relinquishment, in such form as the register and receiver of the said land office shall prescribe, of all his title and interest in and to the east half of the southeast quarter of section ten, in township twenty-two, within the said land district, entered by him through mistake, and, upon the execution of such release, to apply the money paid on the same to the west half of the southeast quarter of section fifteen, township twenty-two, if the said quarter-section remain unsold and subject to private entry; if not, then to apply the amount paid in by mistake to any other quarter-section of land subject to private entry within said district, for which a patent shall issue.

No. 263.—AN ACT for the relief of William Wayne Wells, of the State of Indiana.

July 14, 1832.
Vol. 6, p. 519.

Be it enacted, &c., That under the directions of the Secretary of War, there shall be paid, out of any money in the Treasury not otherwise appropriated, to the said William Wayne Wells, of the State of Indiana, the sum of one thousand two hundred and eighty dollars, in full satisfaction of a section of land allowed and reserved to him by the treaty with the Miami tribe of Indians, dated sixth October, one thousand eight hundred and eighteen, and which said section of land was afterwards reserved for the use of the Miami tribe of Indians, in the treaty made with them and dated twenty-third October, one thousand eight hundred and twenty-six: *Provided,* That, before such payment is made, the said William Wayne Wells shall make and execute a good and sufficient deed and conveyance, relinquishing all the right, title, interest, and claim, which he now has, or ever had, to said section of land, and shall file the same with the Secretary of War.

Payment for a certain section of land reserved to him, &c.

Proviso.

No. 264.—AN ACT for the relief of the heirs of Jeremiah Buckley, deceased.

July 14, 1832.
Vol. 6, p. 520.

Be it enacted, &c., That the heirs of Jeremiah Buckley be, and they are hereby, confirmed in their title to one hundred arpents of land, equal to eighty-five acres, situate on Wabash River, about three miles above Vincennes, which was contracted and sold by a certain T. Dubois to the said Jeremiah Buckley, about the year one thousand seven hundred and seventy-six; and afterwards, viz: on the eleventh of June, one thousand eight hundred and three, sold and conveyed by him to the United States, for the purpose of erecting a garrison thereon: *Provided,* That no other title than such as the United States have to the land mentioned shall be deemed to be conveyed or affected by this act.

Land title confirmed.

Proviso.

SEC. 2. *And be it further enacted,* That the Secretary of the Treasury pay unto the heirs of the said Jeremiah Buckley, out of any money in the Treasury not otherwise appropriated, the sum of two hundred and eighty dollars, in full compensation for the use made of the timber and sand, while they occupied the said land: *Provided further,* That the heirs aforesaid, relinquish under their hands and seals to the United States at the proper Department, all the right, title, and claim that they now have, or ever had, for or on account of the said above-described tract of land, either against the said Dubois, his heirs or assigns, or the United States, and that a compliance with this proviso on the part of the said heirs, form a condition precedent to be complied with.

Payment for timber and sand.

Proviso.

No. 265.—AN ACT to create sundry new land offices, and to alter the boundaries of other land offices of the United States.

March 2, 1833.
Vol. 4, p. 653.

SEC. 9. *And be it further enacted,* * * * That the land district hereinafter created by the tenth section of this act, shall be bounded on the south by the line dividing townships twenty-six and twenty-seven, and on the east by the line dividing ranges six and seven, and the lands in said district now in market shall be subject to entry at the land offices at Crawfordsville and Fort Wayne as heretofore, until the first day of July next, and no longer.

Boundaries of land district, &c.

SEC. 10. *And be it further enacted,* That all that district of country, in the State of Indiana, lying west of the line dividing ranges seven and eight east of the second principal meridian, and north of the line dividing townships twenty-four and twenty-five, shall form a separate land district; and the land office for the sale and disposal of all the public lands in said district, shall be, and hereby is, established at La-porte; and for said land office, a register and receiver shall be appointed in like manner, and be subject to like rules and regulations, and receive the same salary, fees, and compensation for their services, as is designated and provided for in other cases by the fifth section of this act; and it shall be [the] duty of the Secretary of the Treasury, as soon as it can be done, to cause the necessary tract books, plats, maps, and surveys of the public lands in said district, to be filed in said office: *Provided,* That the President may, whenever, in his judgment, the public interest and the convenience of the people require it, remove said office to a more central and suitable place in said district. (a)

New land district in Indiana.

Office at La-porte.

President may remove office.

(a) See Nos. 196, 205, 207, 231, 237, 238, 247, 256, 297, 310, 313, 314, 316.

March 2, 1833.
Vol. 4, p. 663.

Lands to be surveyed.

Compensation.

No. 266.—AN ACT to authorize the President of the United States to cause the public surveys to be connected with the line of demarcation between the States of Indiana and Illinois.

Be it enacted, &c., That the President of the United States be, and hereby is authorized and required to cause the public lands lying along the line of demarcation between the States of Indiana and Illinois, as established by the joint sanction of those States, to be surveyed in connection with said line on either side thereof.

SEC. 2. *And be it further enacted,* That the Secretary of the Treasury be, and hereby is, authorized to allow for the service to be performed under this act, such further compensation, in addition to [the] regular price now authorized by law, as to him shall appear to be just and reasonable, to be paid out of the regular appropriation for surveying public lands northwest of the Ohio River.

March 2, 1833.
Vol. 6, p. 551.

Authorized to enter land.
Proviso.

No. 267.—AN ACT for the relief of Hugh Beard.

Be it enacted, &c., That Hugh Beard be permitted to enter, at any of the land offices in the State of Indiana, seventy-four eighteen hundredths acres of land, on any of the public lands in the State of Indiana, and now subject to sale by law: *Provided,* That the said Hugh Beard, before making said entry, shall execute and deliver to the register of the land office at Indianapolis, a release to the United States of all claim and title to the same quantity of land entered by him on the twenty-fifth of November, one thousand eight hundred and twenty-two, and which was afterwards patented to him by the United States; it being the eastern half of the northeastern quarter of section one, in township sixteen, and range four, east.

June 18, 1834.
Vol. 6, p. 563.

May relinquish a tract of land, and payments transferred, &c.

Proviso.

No. 268.—AN ACT for the relief of George K. Jackson.

Be it enacted, &c., That George K. Jackson, of Indiana, be, and he is hereby, authorized to relinquish to the United States, the north fraction of the northwest quarter of section four, in township twenty-three north of range seven west, in the district of lands offered for sale at Crawfordsville, Indiana, containing seventy-two acres and seven one-hundredths, which was entered through a mistake, and that the receiver of public moneys at the land office aforesaid, place to the credit of said George K. Jackson, the amount by him paid for the above-named tract of land, towards the payment of any tract which he may select within the Crawfordville land district, subject to private entry: *Provided, however,* That no such application shall be made until he relinquishes his right to the above described tract of land to the United States.

June 26, 1834.
Vol. 6, p. 562.

A mistake in issuing a land patent to be corrected.

No. 269.—AN ACT for the relief of Richard Nance.

Be it enacted, &c., That the proper officers be, and are hereby, authorized and required to correct a mistake in issuing a patent for the northwest quarter-section five, township eighteen, north of range four east, containing fifty-seven acres and ninety-two hundredths, in the district of lands offered for sale at Indianapolis, and issue a patent to Richard Nance for said land.

June 23, 1834.
Vol. 4, p. 702.

Indiana to select lands in lieu of those formerly selected.

No. 270.—AN ACT to authorize the correction of erroneous selections of land granted to the State of Indiana, for the purpose of constructing the Michigan road.

Be it enacted, &c., That the State of Indiana be, and hereby is authorized to select other lands in lieu of sections numbered eighteen and twenty-nine, and fractional section numbered thirty-two, in township thirty-seven north, of range one, east, heretofore selected, to be applied to the purpose of constructing the Michigan road in Indiana; the selections authorized by this act to be made on any unsold land, within the district where the above-mentioned lands lie, and shall be applied to the same object, and the first named selections are hereby declared void and of no effect. (a)

(a) See Nos. 244, 257.

No. 271.—AN ACT for the relief of John Allen.June 28, 1834.
Vol. 6, p. 575.

Be it enacted, &c., That John Allen be, and he hereby is, authorized to enter at private sale with the register of the land office at Vincennes, at any time within six months from the passage of this act, paying one dollar and twenty-five cents per acre, the tract of land on which he now lives, being location numbered two hundred and ninety-two, on the Vincennes donation tract, in township three north, and range seven west, in the land district aforesaid: *Provided, however,* That the pre-emption hereby authorized shall in nowise interfere with any existing right of others.

Authorized to
enter land at pri-
vate sale.

Proviso.

No. 272.—AN ACT authorizing the selection of certain Wabash and Erie Canal lands in the State of Ohio.June 30, 1834.
Vol. 4, p. 716.

[See OHIO, No. 138.]

No. 273.—AN ACT to confirm the selection and survey of two sections of land to Francis Lafontain and son, and their assignees.June 30, 1834.
Vol. 6, p. 601.

Be it enacted, &c., That the location and surveys of two sections of land on the west side of the Saint Mary's River, made by the surveyor-general of the public lands, prior to the seventh day of May, one thousand eight hundred and twenty-three, for Francis Lafontain and son, under a treaty made by Jonathan Jennings, Lewis Cass and Benjamin Park, commissioners on the part of the United States, and the Miami nation of Indians of the other part, entered into on the sixth day of October, one thousand eight hundred and eighteen, be, and the same are hereby, confirmed, and declared valid under the treaty aforesaid: *Provided, always,* That this act shall not be so construed as to prejudice the claim of any other person or persons to said lands, or any part thereof, acquired prior to the date aforesaid.

A tract of land
confirmed to
them.

Proviso.

No. 274.—AN ACT for the relief of William O'Neal and Robert Morrison.March 3, 1835.
Vol. 6, p. 614.

Be it enacted, &c., That the Secretary of the Treasury cause to be issued to William O'Neal, of the State of Indiana, a patent for the east half of the northwest quarter of section number thirty-one, of township number twenty-two north, of range number eleven east, in the Fort Wayne land district upon his relinquishing to the United States, the east half of the northwest quarter of section number thirty-one, of township number twenty-two north, of range number ten east, in the land district aforesaid, which was entered through mistake.

Land patent to
issue to William
O'Neal.

SEC. 2. *And be it further enacted,* That the Secretary of the Treasury cause to be issued to Robert Morrison, of the State of Indiana, patents for the northeast fourth of the southeast quarter of section twenty-one, in range two west, of township twenty north, and, also, for the southeast fourth of the northeast quarter of the same section, township, and range, within the Crawfordsville land district, in the State of Indiana, upon his relinquishing to the United States the southwest fourth of the southeast quarter, and the southeast fourth of the southwest quarter of the same section, township, and range, which was entered through mistake.

Two patents to
issue to R. Mor-
rison.**No. 275.—AN ACT for the relief of Benjamin Bennet, Peter Guthrie, George W. Bennet, James Calvin, John Fifer, and the heirs of Henry Sumpter, deceased.**May 14, 1836.
Vol. 6, p. 629.

Be it enacted, &c., That Benjamin Bennet be, and he is hereby, authorized to relinquish to the United States, in such manner and form as the Commissioner of the General Land Office shall prescribe, the northeast quarter of the northeast quarter of section number thirty, in township number three south, of range number thirteen west, of the second principal meridian, in the district of lands offered for sale at Vincennes, in the State of Indiana; and upon such relinquishment having been made, as aforesaid, the said Benjamin Bennet is hereby authorized to enter in lieu of the lands so relinquished, any other quarter-section of any of the unsold public lands in said district subject to entry at private sale.

Benj. Bennet
authorized to re-
linquish certain
lands, &c.

H. Sumpter's representatives authorized to relinquish land, &c. SEC. 2. *And be it further enacted*, That the legal representatives of Henry Sumpter, deceased, be, and they are hereby, authorized to relinquish to the United States, in the manner and form prescribed in the first section of this act, the southeast quarter of the northeast quarter of section number thirty, in township three south, of range number thirteen west, of the second principal meridian, in the district of lands offered for sale at Vincennes, in the State of Indiana; and upon such relinquishment having been made as aforesaid, the legal representatives of the said Henry Sumpter, deceased, are hereby authorized to enter, in lieu of the lands so relinquished, any other quarter quarter-section of any of the unsold public lands in the said district, subject to entry at private sale.

P. Guthrie authorized to relinquish land, &c. SEC. 3. *And be it further enacted*, That Peter Guthrie be, and he is hereby, authorized to relinquish to the United States, in the manner and form prescribed by the first section of this act, the southeast quarter of the southeast quarter of section number nineteen, in township number three south, of range number thirteen west, of the second principal meridian, in the district of lands offered for sale at Vincennes, in the State of Indiana; also, the southwest quarter of the southwest quarter of section number twenty, in township number three south, of range number thirteen west, of the second principal meridian, in the said Vincennes land district; and upon such relinquishment having been made, as aforesaid, the said Peter Guthrie is hereby authorized to enter, in lieu of the lands so relinquished, any other two quarter quarter-sections of any of the unsold public lands in the said land district subject to entry at private sale.

G. W. Bennett may relinquish land, &c. SEC. 4. *And be it further enacted*, That George Washington Bennett be, and he is hereby, authorized to relinquish to the United States, in the manner and form prescribed in the first section of this act, the southwest quarter of the northwest quarter of section number twenty-eight, in township number three south, of range number thirteen west, of the principal meridian, in the district of lands offered for sale at Vincennes, in the State of Indiana; and upon such relinquishment having been made, as aforesaid, the said George Washington Bennett shall be, and he is hereby, authorized to enter, in lieu of the lands so relinquished, any other quarter quarter-section of the unsold public lands in the said land district subject to entry at private sale.

J. Calvin may relinquish, &c. SEC. 5. *And be it further enacted*, That James Calvin be, and he is hereby, authorized to relinquish to the United States, in the manner and form prescribed by the provisions of the first section of this act, the southwest quarter of the south quarter of section number eighteen, in township number three south, of range number thirteen west, of the second principal meridian, in the district of lands offered for sale at Vincennes, in the State of Indiana; and upon such relinquishment having been made as aforesaid, the said James Calvin is hereby authorized to enter, in lieu of the lands so relinquished, any other quarter quarter-section of the public lands in the said land district, subject to entry at private sale.

J. Fifer may relinquish, &c. SEC. 6. *And be it further enacted*, That John Fifer be, and he is hereby, authorized to relinquish to the United States, in the manner and form as prescribed by the provisions of the first section of this act, the east half of the southeast quarter of fractional section number eighteen, in township number three south, of range thirteen west, of the second principal meridian, in the district of lands offered for sale at Vincennes, in the State of Indiana; and upon such relinquishment having been made, as aforesaid, the said John Fifer is hereby authorized to enter, in lieu of the land so relinquished, any other half quarter-section of the public lands in the said land district, subject to entry at private sale.

June 23, 1836. Vol. 5, p. 56. No. 276.—AN ACT to settle and establish the northern boundary line of the State of Ohio.

Which line shall be deemed the east and west line. SEC. 2. *And be it further enacted*, That the boundary lines surveyed, marked, and designated, agreeably to "An act to authorize the President of the United States to ascertain and designate the northern boundary of the State of Indiana," approved March the second, eighteen hundred and twenty-seven, shall be deemed and taken as the east and west line men-

tioned in the constitution of the State of Indiana, drawn through a point ten miles north of the southern extreme of Lake Michigan, and shall be and for ever remain the northern boundary of said State. (a)

(a) See Nos. 193, 203, 209, 246.

No. 277.—AN ACT for the relief of Daniel Smith.

June 23, 1836.
Vol. 6, p. 640.

Be it enacted, &c., That the Commissioner of the General Land Office be, and he is hereby, authorized and directed to issue a patent to Daniel Smith, of Morgan County, Indiana, for the southeast quarter of section twenty, township thirteen north, range one west, in the district of lands offered for sale at Crawfordsville: *Provided*, That this act shall not be construed to affect the rights of any third party.

A patent for a tract of land to issue to him.

No. 278.—AN ACT for the relief of the citizens of the reserved township in Monroe County, in the State of Indiana.

June 23, 1836.
Vol. 6, p. 641.

Be it enacted, &c., That the register and receiver of the land office at Indianapolis be, and they are hereby, authorized to select within said district out of any of the public lands, a quantity of land for the use of schools within the reserved township in Monroe County, equivalent in value, and in lieu of the sixteenth section in said township, which was granted by Congress to the State of Indiana, for the use and benefit of a State college.

Land to be selected for use of schools.

No. 279.—AN ACT for the relief of Archibald Small.

June 23, 1836.
Vol. 6, p. 642.

Be it enacted, &c., That Archibald Small be, and he is hereby, permitted and allowed to enter the west half of the southeast quarter of section number thirty-three, in township number thirteen, north of range five east, in the district of lands offered for sale at Indianapolis, in the State of Indiana, for which he shall be entitled to a patent, on his relinquishing to the United States the west half of the southwest quarter of section number thirty-three, in township number thirteen, north of range five east, in the district aforesaid, and which was entered by said Archibald Small through mistake, and not detected, by reason of the said Archibald Small not being able to read.

Allowed to enter a tract of land.

No. 280.—AN ACT for the relief of William Bowman.

June 28, 1836.
Vol. 6, p. 646.

Be it enacted, &c., That William Bowman, of the State of Indiana, be, and he is hereby, authorized to relinquish to the United States the northeast quarter of section twenty-one, and the west half of the southwest quarter of section twenty-two, both in township number thirteen north, of range two west, in the district of lands offered for sale at Crawfordsville, in the State of Indiana, which were entered through mistake, and that he be permitted to enter in lieu thereof, at the office aforesaid, the northeast quarter of section twenty-eight, and the south half of the northwest quarter of section twenty-seven, same township and range, provided the same be vacant; if not, then, and in that case, to enter a like quantity of any of the public lands within said district subject to entry at private sale.

May relinquish a tract of land, &c.

No. 281.—AN ACT for the relief of John Alman and George Woolsey.

July 2, 1836.
Vol. 6, p. 690.

Be it enacted, &c., That John Alman, of the county of Pike and State of Indiana, be, and he is hereby, authorized to relinquish to the United States in such manner and form as have been or may hereafter be prescribed by the Commissioner of the General Land Office, the north half of the northwest quarter of section number three, in township number three south, of range eight west, of the second principal meridian, in the district of lands sold at Vincennes, Indiana; and upon such relinquishment having been made as aforesaid, the said John Alman is hereby authorized to enter, in lieu of the lands so relinquished, the north half of the northwest quarter of section two, township three south, range eight west.

J. Alman, authorized to relinquish a tract of land, and to enter another.

G. Woolsey authorized to relinquish, &c.

SEC. 2. *And be it further enacted,* That George Woolsey, of the county and State aforesaid, be, and he is hereby, authorized to relinquish to the United States, in manner and form aforesaid, the southeast quarter of the northwest quarter of section number thirty-three, in township number two south, of range eight west, of the second principal meridian, in the district of lands sold at Vincennes, in the State of Indiana; and upon such relinquishment as aforesaid having been made, the said George Woolsey is hereby authorized to enter, in lieu of the land so relinquished, the southeast quarter of the northwest quarter of section thirty-four, township two south, range eight west.

July 2, 1836.
Vol. 6, p. 680.

No. 282.—AN ACT for the relief of Tobias Crum.

Authorized to relinquish a tract of land and to enter another.

Be it enacted, &c., That Tobias Crum, of the State of Indiana, be, and he is hereby, permitted and allowed to enter the northwest quarter of the southeast quarter of section number twenty, in township five north, of range six east, in the Jeffersonville land district, in the State of Indiana, for which he shall be entitled to a patent on his relinquishing to the United States the northeast quarter of the southeast quarter of section number twenty, in township five north, of range six east, in said district, which lot he entered through mistake.

Jan. 31, 1837.
Vol. 6, p. 684.

No. 283.—AN ACT for the relief of Norman Holt.

Entitled to a tract of land on surrendering, &c.

Be it enacted, &c., That Norman Holt, of Owen County, in the State of Indiana, shall be entitled to enter one quarter quarter-section of land, on any of the unsold lands in the Vincennes land district in said State, subject to entry at private sale, on his first surrendering to the United States, at the said office, the southwest quarter of the southeast quarter of section number twenty-five, in township twelve north, and range five west; and that the money paid by said Holt for the entry of said tract, shall be applied to the payment of such other tract or quarter quarter-section, as the said Holt may enter in said district.

April 4, 1838.
Vol. 6, p. 710.

No. 284.—AN ACT for the relief of Michael Cassel.

May surrender a land certificate, and enter other land.

Be it enacted, &c., That Michael Cassel, of Laporte County, in the State of Indiana, be, and he is hereby, authorized to surrender the certificate issued to him from the land office at Laporte, in said State, for lots numbered one and two, or the east part of section thirty-five, township thirty-seven north, of range one west, which was entered by him through mistake; and, on filing his relinquishment to all right and title thereto, the said Michael Cassel is hereby authorized to enter in said land office at Laporte an equal quantity of any of the public land remaining unoccupied and subject to private entry in the Laporte land district, with that for which he has paid and shall relinquish, and be entitled to a certificate for the same.

March 3, 1839.
Vol. 6, p. 768.

No. 285.—AN ACT for the relief of Zebulon Sheets.

Upon surrendering certain land, may enter, &c.

Be it enacted, &c., That Zebulon Sheets, or his legal representatives, be, and are hereby, authorized, upon surrendering to the United States, free of encumbrance, forty-seven acres and two-hundredths of an acre of land, entered by the said Sheets at the land office at Crawfordsville, State of Indiana, in section six, township twenty-six, range four west, to enter the same amount anywhere in said State, upon any lands of the United States subject to private entry and unoccupied.

March 3, 1839.
Vol. 6, p. 781.

No. 286.—AN ACT for the relief of Aaron Stout.

Authorized to enter and obtain a patent for land free of cost.

Be it enacted, &c., That Aaron Stout, or his legal representatives, be, and are hereby authorized to enter, and obtain a patent for three hundred and twenty acres of land, free of cost, in any part of the State of Indiana, upon any of the lands of the United States subject to private entry; being bounty land due him for services in the last war, but which he has not received, in consequence of the loss of his certificate and discharge.

No. 287.—AN ACT for the relief of Peter Warner, of Indiana.

July 20, 1840.
Vol. 6, p. 805.

Be it enacted, &c., That Peter Warner of Indiana, be, and he hereby is, authorized to enter with the register of the Winnamac land office, in that State, the southeast quarter of section one, in township thirty-two north, of range five east, of the public land in the said land district, at the rate of one dollar and twenty-five cents per acre.

Authorized to enter certain land.

No. 288.—AN ACT for the relief of Hyacinth Lassel.

July 21, 1840.
Vol. 6, p. 816.

Be it enacted, &c., That the Commissioner of the General Land Office shall issue to Hyacinth Lassel (named in the schedule of grants annexed to the treaty made with the Pottawatomie tribe of Indians, on the seventeenth day of October, in the year one thousand eight hundred and twenty-six, near the mouth of the Mississinniwa, upon the Wabash, in the State of Indiana) a certificate under the seal of said land office, authorizing him, the said Hyacinth Lassel, to locate five hundred and sixty acres of land in one tract, at any land office in the State of Indiana; he, the said Lassel, paying the minimum price fixed for such lands, for eighteen acres and forty-six hundredths of an acre, part and parcel of said tract of five hundred and sixty acres.

A certificate authorizing him to enter certain land, to issue.

SEC. 2. *And be it further enacted,* That such certificate of the Commissioner of the General Land Office aforesaid, shall be receivable, from the said Hyacinth Lassel, at any land office in said State of Indiana, at any time prior to the fourth day of March, in the year one thousand eight hundred and forty-three, or from the heirs or assigns of the said Hyacinth Lassel, in payment, according to the provisions of the first section of this act: *Provided, however,* That the entry and location hereby authorized, shall not be made on any lands within the limits of the grant made to the State of Indiana for the Wabash and Erie Canal; nor on the alternate sections reserved to the United States in said grant; nor on any lands selected by the State of Indiana for the purposes of said canal. (a)

Such certificate to be receivable for land.

Proviso.

(a) See Nos. 293, 301.

No. 289.—AN ACT to confirm to the State of Indiana the land selected by her for that portion of the Wabash and Erie Canal which lies between the mouth of the Tippecanoe River and Terre Haute, and for other purposes.

Feb. 27, 1841.
Vol. 5, p. 414.

Be it enacted, &c., That there be, and there hereby is, confirmed to the State of Indiana, the land selected by her, under the provisions of the act of second of March, eighteen hundred and twenty-seven, entitled "An act to grant a certain quantity of land to the State of Indiana, for the purpose of aiding the State in opening a canal to connect the waters of the Wabash with those of Lake Erie," for that portion of the canal between the mouth of the Tippecanoe River and Terre Haute, as returned by said State to the Secretary of the Treasury. (a)

The land selected by Indiana under act of 2d of March, 1827, confirmed to her.

SEC. 2. *And be it further enacted,* That should any of said lands, at the time of their selection and location by the State, have been subject to any right of pre-emption, or other legal incumbrance, the State of Indiana shall be, and she hereby is, authorized to select, of any lands subject to private entry in said State, other lands in lieu of so much thereof as may be so incumbered, and, upon return of a description of the same to the Secretary of the Treasury, the same shall be, and hereby is, confirmed to the State: *Provided,* That no more land shall be selected, or hereby confirmed, than a quantity equal to one-half of five sections in width on each side of said canal, from the mouth of the Tippecanoe River to Terre Haute.

Indiana authorized to select other lands in lieu of those subject to pre-emption, &c.

Proviso.

(a) See Nos. 239, 245, 254, 255, 272, 291, 294, 302.

No. 290.—AN ACT for the relief of the inhabitants of the reserved township in Gibson County, in the State of Indiana.

Aug. 11, 1842.
Vol. 6, p. 851.

Be it enacted, &c., That the Secretary of the Treasury be, and he hereby is, authorized to select one section, in not less than quarter-sections, of any surveyed and unappropriated lands in the State of Indiana, not subject to any right of pre-emption, for the use of schools within the reserved township in Gibson County, in the State of Indiana, in lieu of the sixteenth section in said township, which was granted by

A section of land for the use of schools to be selected.

Congress to the State of Indiana, for the uses and benefit of a State college; which said section, when so selected, shall be forever held, or disposed of, under the laws in force, by the inhabitants of said reserved township, for the use and purposes for which section sixteen is in other cases held or disposed of, and for no other use or purpose whatever. (a)

(a) See Nos. 196, 205, 215, 236, 249, 261, 278, 315.

Aug. 29, 1842.
Vol. 5, p. 542.

No. 291.—AN ACT to authorize the States of Indiana and Illinois to select certain quantities of land, in lieu of like quantities heretofore granted to the said States, for the construction of the Wabash and Erie and the Illinois and Michigan canals.

Lands to be selected in lieu of others granted for the Wabash and Erie Canal.

Be it enacted, &c., That there be be vested in the State of Indiana twenty-four thousand two hundred and nineteen acres, and fourteen hundredths of an acre of land, to be selected under the authority of the governor of said State, from any of the unsold public lands therein, not subject to the right of pre-emption, as an equivalent for certain lands covered by Indian reservations in the lands acquired by treaties with the Miami Indians, in the years eighteen hundred and thirty-seven and eighteen hundred and thirty-nine, respectively, and which, had said reservations not been permitted or allowed, would have belonged to said State in virtue of the act of the second of March, eighteen hundred and twenty-seven, entitled "An act to grant a certain quantity of land to the State of Indiana, for the purpose of aiding said State in opening a canal to connect the waters of the Wabash River with those of Lake Erie,"

Selections to be reported to Secretary of the Treasury, and approved by the President.

SEC. 3. *And be it further enacted,* That the selections of land made under this act shall be reported by the governors of the said States respectively, to the Secretary of the Treasury, and approved by the President of the United States. (a)

(a) See Nos. 239, 245, 254, 255, 272, 289, 294, 302.

June 15, 1844.
Vol. 6, p. 915.

No. 292.—AN ACT for the relief of George W. Allen and Reuben Allen.

Reversionary interest of United States in a certain reservation, relinquished to them.

Be it enacted, &c., That the reversionary interest of the United States in and to the reservation to John B. Shadernah, by and under the second article of the treaty with the Pottawatomie Indians of the twenty-sixth day of October, in the year eighteen hundred and thirty-two, be, and the same is hereby, relinquished to George W. Allen and Reuben Allen; it being understood, and this relinquishment is made upon the condition, that the said George W. Allen, and Reuben Allen as grantees, have purchased of the said reservee by authentic and regular deed, his right in and to the said reservation: *And provided further,* That no sale or conveyance of said reservation by said reservee shall be deemed regular, nor shall this act have effect, until the President of the United States shall have approved such conveyance, and endorsed his approval thereon.

Proviso.

June 17, 1844.
Vol. 6, p. 928.

No. 293.—AN ACT for the relief of the heirs of Hyacinth Lasselle.

Preamble.

Whereas, by an act of the Congress of the United States, entitled "An act for the relief of Hyacinth Lasselle," approved the twenty-first day of July, in the year eighteen hundred and forty, the said Hyacinth Lasselle was authorized to locate five hundred and sixty acres of land at any land office in the State of Indiana, at any time prior to the fourth day of March, in the year eighteen hundred and forty-three, by paying the minimum price fixed for such lands, for eighteen acres and forty-sixth hundredths of an acre, part and parcel of said tract of five hundred and sixty acres: and whereas, also, the said Hyacinth Lasselle has deceased without perfecting the location of said land: Therefore,

Authorized to locate land.

Be it enacted, &c., That it shall be lawful for the heirs of the said Lasselle to locate the said tract of land in said act contemplated, at any time prior to the fourth day of March, eighteen hundred and forty-six, at any land office in the State of Indiana, either before or after any lands therein may have been offered at public sale, by paying the said minimum price for the said eighteen acres and forty-six hundredths, as by said act is provided. (a)

(a) See Nos. 288, 301.

No. 294.—AN ACT to grant certain lands to the State of Indiana, the better to enable the said State to extend and complete the Wabash and Erie Canal from Terre Haute to the Ohio River.

March 3, 1845.
Vol. 5, p. 731.

Be it enacted, &c., That there be, and hereby is, granted to the State of Indiana, for the purpose of aiding said State in extending and completing the Wabash and Erie Canal from Terre Haute, in the county of Vigo, in said State, to the Ohio River, at Evansville, in said State, as the course thereof has been established and surveyed by the authority of said State, one moiety of the public lands, (remaining unsold, and not otherwise disposed of, encumbered or appropriated,) in a strip five miles in width on each side of said canal; to be selected by an agent or agents to be appointed by the governor of said State, subject to the approval of the Secretary of the Treasury of the United States; reserving to the United States each alternate section, (or other proper subdivision of said land,) from one end of said canal to the other; and before the selection, to be made as aforesaid by such agent or agents, shall be deemed to have been made and perfected, a chart or charts, showing the courses and distances and points of termination of said canal, shall be reported, or caused to be reported by the governor of Indiana, or by some person or persons by him appointed to the Commissioner of the General Land Office.

Lands granted on the canal.

Lands reserved.

Chart of the canal to be reported to General Land Office.

SEC. 2. *And be it further enacted*, That, for the purpose hereinbefore mentioned, there be, and hereby is, granted to the said State, in addition to the grant hereinbefore provided for, one moiety of all the other lands in the Vincennes land district, in said State, and which remain, as aforesaid, unsold, and not otherwise disposed of, encumbered or appropriated, to be selected under the authority and by the direction of the governor of said State: *Provided*, That, in the selection of the lands by this section provided for, no lands shall be comprehended which, in and by the first section of this act, are (in alternate sections or other proper subdivisions) directed to be reserved as aforesaid; and the lands so selected shall be reported, or caused to be reported, by the governor of said State, to the register of the land office at Vincennes, before such selection shall be deemed to be made and completed.

Lands granted in Vincennes district.

Their selection.

Lands selected to be reported to the register.

SEC. 3. *And be it further enacted*, That all the lands, by the first and second sections of this act granted as aforesaid, shall, after the selections thereof shall have been made and completed as aforesaid, be subject to be disposed of by the general assembly of said State, for the purpose aforesaid, and no other; and the President shall direct the further sales of the public lands, in the Vincennes land district aforesaid, to be suspended until the governor of said State shall have caused the selections aforesaid to be made and perfected as aforesaid, and shall have notified the Secretary of the Treasury thereof: *Provided*, That such suspension shall not continue longer than twelve months from and after the passing of this act.

Disposal of the lands granted by first and second sections of this act.

Sale of lands in Vincennes district suspended.

SEC. 4. *And be it further enacted*, That the said canal when completed, shall be and forever remain a public highway for the use of the Government of the United States, free from any toll or other charge whatever, for any property of the United States, or persons in their service, passing through or along the same; and shall be completed within fifteen years from and after the passing of this act, or the State shall be holden to pay to the United States the amount of the price or prices for which any and all of said land which may have been disposed of by said State may have sold; and such of said lands as may not have been thus disposed of shall, from and after said fifteen years, if said canal should not then have been completed, revert to and again become the property of the United States: *Provided always*, That it shall not be competent for the said general assembly to dispose of said lands, or any of them, at a price lower than, for the time being, shall be the minimum price of other public lands. (a)

United States to have use of the canal free.

Canal to be completed in fifteen years, or land to revert to the United States.

Price of the lands limited.

(a) See Nos. 239, 245, 254, 255, 272, 289, 291, 302.

No. 295.—AN ACT making appropriations, &c.

March 3, 1845.
Vol. 5, p. 758.

[Office of surveyor-general northwest of the Ohio removed to State of Michigan. See MICHIGAN, No. 509.]

August 3, 1846. No. 296.—AN ACT to grant the right of preëmption to actual settlers on the lands acquired by treaty from the Miami Indians in Indiana.

Pre-emption rights on the Miami cessions, who entitled to. *Be it enacted, &c.,* That every actual settler, being the head of a family, or widow or single man over the age of twenty-one years, who is now in possession, by actual residence as a housekeeper, of any tract of public land within the limits of the several cessions by the Miami Indians in Indiana, which have not yet been proclaimed for sale by the President, or any such person who shall hereafter settle, erect a dwelling-house, and become a housekeeper upon any such tract of land, shall be entitled to the same benefits and privileges, with respect to said land, as was granted to settlers on other lands by the act approved twenty-second of June, eighteen hundred and thirty-eight, entitled "An Act to grant preëmption rights," and the several amendatory provisions of said act, effected by the subsequent acts bearing date first June, eighteen hundred and forty, and third March, eighteen hundred and forty-three: *Provided*, That the minimum price per acre of said land shall be two dollars per acre.

Claimant to make oath as prescribed by act of 1838. SEC. 2. *And be it further enacted*, That, in every case, the affidavit of the claimant under this act shall be like unto that prescribed by the act of twenty-second June, eighteen hundred and thirty-eight, and the same shall be filed, and proof and payment made for the land claimed, at any time before the day fixed by the President's proclamation for the public sale of the said land: *Provided*, That where a tract of land is now settled upon, a settlement made on such tract subsequent to the date of this law shall confer no right on the last-mentioned settler; and where settlements shall hereafter be made, the right shall be in the first settler, who shall otherwise comply with the conditions of this law. (a)

(a) See No. 303.

August 8, 1846.
Vol. 9, p. 75.

No. 297.—AN ACT to attach to the Fort Wayne land district certain tracts of land lying within the limits of that district which are not now attached to any district.

Certain lands attached to Fort Wayne land district in Indiana. *Be it enacted, &c.,* That all the lands in the State of Indiana which lie north of the township line dividing townships twenty-three and twenty-four, and east of the range line dividing ranges four and five east, which lie south of the Wabash River, be, and the same are hereby, attached to the Fort Wayne land district; and all that tract of land which lies north of the township line dividing townships twenty-three and twenty-four, and west of the range line dividing ranges four and five east, and east of the east line of the Crawfordsville land district, be attached to and shall form a part of the Winnemac land district; and all the lands lying south of the said township line, dividing the said townships twenty-three and twenty-four, which were heretofore within the limits of the Fort Wayne land district, including the portions of the late Miami cessions south of said line, be, and the same are, attached to the Indianapolis land district; and all lands lying within any of the aforesaid land districts, which may not have been offered for sale, shall hereafter constitute a part of the land district in which they respectively lie. (a)

(a) See Nos. 196, 205, 207, 231, 237, 238, 247, 256, 265, 310, 312, 314, 316.

Jan. 26, 1847.
Vol. 9, p. 118.

No. 298.—AN ACT declaring the assent of Congress to certain States to impose a tax upon all lands hereafter sold by the United States therein, from and after the day of such sale.

[See OHIO, No. 169.]

March 3, 1847.
Vol. 9, p. 691.

No. 299.—AN ACT relinquishing to the city of Madison, in the State of Indiana all the right and title of the United States to a certain strip of unsurveyed land lying within the limits of said city, and bordering on the Ohio River.

Boundaries of a tract of land hereby relinquished to the city of Madison. *Be it enacted, &c.,* That all the right, title, and interest of the United States in and to all that unsurveyed strip or parcel of land lying and being in the county of Jefferson, and State of Indiana, bounded as follows, viz.: Beginning at the southeast corner of fractional section number one; thence westwardly, along the south line of fractional sections

one, two, and three, all in township "three" north, of range "ten" east, until said line strikes the southwest corner of said fractional section numbered "three;" thence from the corner last mentioned, due south, to low-water mark on the Ohio River; thence eastwardly, up and following the meanderings of the river at low-water mark, to a point directly opposite the southeast corner of said fractional section numbered one; thence north, from the point last aforesaid, to the place of beginning of the lands, lying and being in the Jeffersonville land district, be, and the same is hereby vested in the city of Madison, for the sole use and benefit of said city.

No. 300.—AN ACT for the relief of the widow and heirs of John B. Chaudonia.

March 3, 1847.
Vol. 9, p. 702.

Be it enacted, &c., That Mary L. Chaudonia, for and in consideration of services rendered by her husband, John B. Chaudonia, to the United States, during the late war, be, and she is hereby, authorized to enter, in any land office in the State of Indiana, without paying money therefor, any unappropriated half-section of public land liable to entry at private sale; for which she shall be entitled to, and shall receive, a patent from the United States vesting the title thereof, in fee-simple, in her and her heirs.

Widow of John B. Chaudonia authorized to enter a half-section of land.
Patent to issue.

SEC. 2. *And be it further enacted,* That Charles B. Chaudonia and Mary L. Breset, children and heirs of John B. Chaudonia, deceased, for and in consideration of services rendered by their father to the United States during the late war, be, and they are hereby, authorized to enter, in any land office in the State of Indiana, without paying money therefor, each for themselves, one quarter-section of any unappropriated public lands liable to entry at private sale; for which they shall be entitled to, and shall receive, a patent from the United States vesting the titles thereof, in fee-simple, in them and their heirs.

Children and heirs of John B. Chaudonia authorized to enter each a quarter-section of land.
Patents to issue.

No. 301.—AN ACT for the relief of the heirs of Hyacinth Lasselle.

March 3, 1847.
Vol. 9, p. 706.

Whereas, by an act of the Congress of the United States, entitled "An act for the relief of Hyacinth Lasselle," approved the twenty-first day of July, in the year eighteen hundred and forty, the said Hyacinth Lasselle was authorized to locate five hundred and sixty acres of land at any land office in the State of Indiana, at any time prior to the fourth day of March, in the year eighteen hundred and forty-three, by paying the minimum price fixed for such lands, for eighteen acres and forty-six hundredths of an acre, part and parcel of said tract of five hundred and sixty acres: and whereas, also, the said Hyacinth Lasselle has deceased without perfecting the location of said land: Therefore

Preamble.

Be it enacted, &c., That it shall be lawful for the heirs of the said Lasselle to locate the said tract of land in said act contemplated, at any time prior to the fourth day of March, eighteen hundred and forty-nine, at any land office in said State of Indiana, after any lands therein may have been offered at public sale, by paying the said minimum price for the said eighteen acres and forty-six hundredths, as by said act is provided: *Provided,* That no tract of land shall be selected, in virtue of this act, upon which there may be improvements made, without the consent of such person or persons who have made such improvements first obtained in writing, and filed with the proper land officers where the location may be made. (a)

Hyacinth Lasselle authorized to locate a certain tract of land at any time prior to March 4, 1849.

Proviso.

(a) See Nos. 284, 293.

No. 302.—AN ACT in addition to an act therein mentioned.

May 9, 1848.
Vol. 9, p. 219.

Whereas, by a certain act approved March second, eighteen hundred and twenty-seven, there was granted to the State of Indiana, to aid in constructing the Wabash and Erie Canal, "a quantity of land equal to one-half of five sections wide on each side of said canal;" and whereas, by an act approved February twenty-seventh, eighteen hundred and forty-one, there was confirmed to said State the lands selected under said grant for that part of said canal, between the mouth of Tippecanoe River and Terre Haute, and license was given to said State to select

Preamble.

Grant of lands
to Indiana.

Whence to be
selected.

other lands subject to private entry, or such part of said selection as was holden against the State by the legal incumbrance or title of others, which last selections have never been made and completed: Therefore, *Be it enacted, &c.*, That the State of Indiana be, and is hereby, authorized to select out of any of the public land in said State subject to private entry, a quantity of land which, together with the land already received and holden by said State for the construction of the said Wabash and Erie Canal, will make the full amount equal to one-half of five sections in width on each side of said canal: *Provided, nevertheless*, That no selection shall be made of any land but such as was subject to private entry on the first day of April, anno Domini one thousand eight hundred and forty-eight. (a)

(a) See Nos. 239, 245, 254, 255, 272, 289, 291, 294.

Aug. 7, 1848.
Vol. 9, p. 275.

No. 303.—AN ACT for the relief of those preëmption claimants upon the Miami lands in Indiana, who, by their services in the Mexican war, are entitled to bounty land.

Pre-emption
claimants upon
the Miami lands
in Indiana enti-
tled to bounty
lands may apply
their warrants in
payment.

Proviso.

Be it enacted, &c., That those persons who are entitled to bounty-land warrants for one hundred and sixty acres in virtue of their own services during the present war with Mexico, and who may likewise be entitled to the right of preëmption upon the Miami lands in Indiana, under the act of the third of August, eighteen hundred and forty-six, shall have the privilege of applying their warrants in payment or part payment for the tract to which they may establish their right of preëmption; said warrant to be estimated, when received as aforesaid, at the sum of one dollar and twenty-five cents for each acre therein contained: *Provided*, That in no case shall the Government be required to refund any excess of the estimated amount of said warrants, over and above the price of the tract claimed to be entered; and should the tract claimed to be entered as aforesaid exceed, at the rate fixed by law, the said sum, then and in such case the balance of the purchase money of said tract shall be paid in cash. (a)

(a) See No. 296.

Aug. 30, 1850.
Vol. 9, p. 801.

No. 304.—AN ACT for the relief of Al-lo-lah and his legal representatives and their grantees.

Preamble.

Whereas, in the survey and location of the section of land granted to "Al-lo-lah," by the twelfth article of the treaty concluded at the Forks of the Wabash, Indiana, on the sixth November, A. D. eighteen hundred and thirty-eight, and ratified February eighth, eighteen hundred and thirty-nine, between the United States and the Miami tribe of Indians, a mistake was made, whereby the same was located below and adjoining the section granted to Mais-shir-goim Mi-yah, and on the same creek, and not above, as required by the provisions of said treaty; and whereas, since the erroneous location of said reserve, the section described in said treaty has been sold and conveyed to bona-fide purchasers by the United States; and whereas, since the death of said Al-lo-lah, his legal heirs have sold and conveyed their interest in said reservation to Cot-te-se-pawn and his heirs—

The title to cer-
tain land to be
as perfect to the
heirs of Cot-te-se-
pawn as to Al-lo-
lah.

Patent to issue.

Proviso.

Be it enacted, &c., That the title of the lawful heirs of Cot-te-se-pawn in and to the reserve situate in township twenty-seven, north of range seven east of the second principal meridian, Indiana, surveyed and designated as survey number twenty-one, containing six hundred and forty acres, according to the map of Indian grants certified by the surveyor-general on the second of September, A. D. eighteen hundred and forty, be confirmed as fully and effectually as if the same had been originally reserved to Al-lo-lah by the treaty above recited; and that upon the surrender of the patent heretofore issued to the said Al-lo-lah, another patent be issued therefore to Cot-te-se-pawn and to his heirs: *Provided, however*, That the said land remain subject to such contracts and liabilities as may have lawfully accrued against and upon the same during the life-time of the said Cot-te-se-pawn.

No. 303.—AN ACT to supply a deficiency to the State of Indiana in a township of land granted to said State for the use of a State university, by an act of Congress approved nineteenth of April, eighteen hundred and sixteen.

July 12, 1852.
Vol. 10, p. 14.

Be it enacted, &c., That there be supplied to the State of Indiana, for the sole and exclusive use of the State university, an equal number of acres of land found to be deficient in the original grant, and which has been otherwise appropriated by Congress, amounting to four thousand one hundred and sixty-six acres, and that said lands be selected, under the direction of the governor of the State, from any lands now in market in said State belonging to the United States, the proceeds of which shall be appropriated solely to the use of said State university, and shall never be diverted to any other purpose whatever. (a)

Grant of land to Indiana for a university.

(a) See Nos. 196, 215, 217, 307.

No. 306.—AN ACT to enable the legislature of the State of Indiana to dispose of the unsold saline lands in said State.

July 12, 1852.
Vol. 10, p. 15.

Be it enacted &c., That so much of the act of Congress entitled "An act to authorize the legislature of the State of Indiana to sell and convey certain lands granted to said State for the use of the people thereof," approved July third, eighteen hundred and thirty-two, as provides that said lands shall not be sold for a less price than [that] at which the public lands are sold, be, and the same is, hereby repealed. (a)

Part of act of 1832 repealed.

(a) See No. 261.

No. 307.—AN ACT to indemnify the State of Indiana for the failure of title to a township of land granted to said State on her admission into the Union in eighteen hundred and sixteen.

Feb. 23, 1854.
Vol. 10, p. 267.

Whereas by a decision of the Supreme Court of the United States, made January twenty-fifth, eighteen hundred and fifty-three, the State of Indiana has lost one out of the two townships of land granted to her for the use of a State University by act of April sixteenth [nineteenth] eighteen hundred and sixteen, and has become liable to refund to a private corporation the proceeds of said township heretofore appropriated to the support of the State university of Indiana—for remedy thereof:

Preamble.

Be it enacted, &c., That the governor of the State of Indiana be authorized to select out of lands of the United States, within the said State, now subject to private entry, nineteen thousand and forty acres of land in legal subdivisions, and shall certify the same to the Secretary of the Interior, who shall, forthwith, on receipt of said certificate, issue, to the State of Indiana, patents for said lands: *Provided* The proceeds of said lands, when sold, shall be, and forever remain, a fund for the use of the Indiana University. (a)

19,040 acres of land granted to Indiana for a university.

(a) See Nos. 196, 215, 217, 305.

No. 308.—AN ACT to ascertain and adjust the titles to certain lands in the State of Indiana.

July 27, 1854.
Vol. 10, p. 313.

Be it enacted, &c., That the register and receiver of the land office at Vincennes, together with a fit and proper person, learned in the law, and a citizen of Indiana, to be appointed by the President of the United States, are hereby constituted commissioners to ascertain and adjust the title of any claimant to any tract of land, or any part or subdivision thereof, granted by the resolve of Congress of the twenty-ninth of August, seventeen hundred and eighty-eight, and the act of the third of March, seventeen hundred and ninety-one, entitled "An act for granting lands to the inhabitants and settlers at Vincennes, and the Illinois country in the territory northwest of the Ohio, and for confirming them in their possessions," and the several acts in aid of, and supplementary thereto. (a)

Commission constituted; commissioners.

Extent of the claims to be examined.

SEC. 2. *And be it further enacted,* That every such claimant to any tract of land so granted, or any part or subdivision thereof, shall, within six months after the publication of the notice hereinafter provided for, file his claim in writing, with the said register, in which he shall specifically set forth such facts as shall be required in the instructions of the Commissioner of the General Land Office.

Claimants to present their claims; when and to whom.

Specification.

Notice of readiness to receive claims to be published in newspaper.

Proceedings of the commissioners.

Powers and duties.

What titles to be confirmed.

Transcript of the decisions to be reported to Commissioner of General Land Office.

When patent to issue.

Proviso.

Further proviso. Effect of the patent.

Compensation of the commissioners.

Who prescribes rules to enforce this act.

SEC. 3. *And be it further enacted*, That such register, upon the receipt of such instructions, shall give notice by publication in some newspaper of general circulation in the vicinity of the said lands of his readiness to receive applications of claimants, to which notice shall be attached the instructions of the said commissioner.

SEC. 4. *And be it further enacted*, That such commissioners shall meet immediately after the time allowed for filing such claims, and shall hold their sessions at the town of Vincennes. They shall have power to compel the attendance of witnesses, administer all necessary oaths, and to hear and decide in a summary manner all matters respecting such claims. Minutes of the proceedings, decisions, meetings, and adjournments of the said board, shall be regularly entered by the register in a book kept for that purpose, together with the evidence adduced in each particular case, upon which their decisions have been made.

SEC. 5. *And be it further enacted*, That every claimant to any tract of land so granted, or any part, or subdivision thereof, who can produce to such commissioners a regular chain of title from the original confirmee to himself, or who can show to their satisfaction a continuous and connected possession in himself and those under whom he claims, for a period of twenty years or more, next preceding the filing of his claim, or can show such a claim or title as would, in the courts of Indiana, bar an action of ejectment, such claimant shall be confirmed in his title.

SEC. 6. *And be it further enacted*, That the said commissioners shall, on or before the first day of September eighteen hundred and fifty-five, transmit to the Commissioner of the General Land Office a transcript of their decisions in favor of claimants, which shall contain a fair statement of the evidence on which each respective claim is founded; and also a transcript of their decisions against claimants, with a like statement of the evidence and the reason of such rejection.

SEC. 7. *And be it further enacted*, That the Commissioner of the General Land Office, upon the receipt of such transcript, shall issue a patent to each claimant so confirmed in his title by the said commissioners; and where any such claims have been rejected the said Commissioner, upon application of the proper person, shall have power to revise such decision of the said board, and may, if in his opinion the evidence warrants it, reverse such decision, and issue a patent therefor to such claimant: *Provided*, That this right to revise shall not extend to those claims rejected, where the same lands have been confirmed by the said board to some other claimant: *And provided further*, That the patents so issued shall only be a relinquishment of the title of the United States, and shall not be construed into an abridgment of the rights of third persons.

SEC. 8. *And be it further enacted*, That the commissioner appointed by the President, shall receive a compensation of eight dollars per day, for each and every day he may be engaged in the discharge of the duties imposed by this act, and the register and receiver shall receive such compensation for their services, as may be just and proper in the discretion of the Commissioner of the General Land Office.

SEC. 9. *And be it further enacted*, That it shall be the duty of the Commissioner of the General Land Office to prescribe such rules and regulations as may be necessary to give full effect to the provisions of this act.

(a) See Nos. 191, 192, 196, 197, 199, 200, 205, 210, 211, 214, 312, 313, 321.

July 27, 1854.
Vol. 10, p. 801.

No. 309.—AN ACT for the relief of Sylvester T. Jerauld, assignee of the interest of Henry Richard.

The location of certain lands in Indiana confirmed to Sylvester T. Jerauld, assignee of H. Richard.

When patent to issue.

Be it enacted, &c., That the location numbered one hundred and eighteen, containing four hundred acres, in township one south, of range ten west of the second meridian, Indiana, which has been made in favor of Nathaniel Ewing as assignee of the claim number fourteen hundred and ninety-nine, entered in favor of the heirs of H. Richard in the report dated thirty-first December, eighteen hundred and nine, of the commissioners at Kaskaskia, Illinois, be, and the same is hereby, confirmed, and the President of the United States is hereby authorized, upon the production of the General Land Office of a patent certificate from the register at Vincennes, Indiana, for said claim, to cause a patent to be issued therefor to the said Sylvester T. Jerauld as assignee of

the interest of the original claimant: *Provided*, That this act, and the patent which may be granted in pursuance of the same, shall only operate as a relinquishment on the part of the United States and shall in no way prejudice any valid adverse right if such exist, to the said land.

Provided.

No. 310.—AN ACT to continue, temporarily, the offices of register and receiver at Vincennes.

Feb. 13, 1855.
Vol. 10, p. 607.

Be it enacted, &c., That the offices of register and receiver shall be continued at Vincennes, Indiana, until after a final report shall have been made by the commissioners pursuant to the act of Congress, approved July twenty-seventh, eighteen hundred and fifty-four, entitled "An act to ascertain and adjust the titles to certain lands in the State of Indiana," and the act of Congress approved twelfth June, eighteen hundred and forty, for the discontinuance of land offices, under certain circumstances, shall not apply to the offices at Vincennes, until the services required by the aforesaid act of twenty-seventh July, eighteen hundred and fifty-four, of the commissioners, shall have been fully performed. (a)

Offices of register and receiver at Vincennes continued.

(a) See Nos. 196, 205, 207, 231, 237, 238, 247, 256, 265, 297, 312, 314, 316.

No. 311.—AN ACT to transfer certain rights and duties conferred upon the trustees of the town of Vincennes, Indiana, to the common council of the city of Vincennes.

June 2, 1856.
Vol. 11, p. 17.

Be it enacted, &c., That all the rights and duties conferred upon the trustees of the town of Vincennes, in the State of Indiana, under the act entitled "An act to adjust the claims to lots in the town of Vincennes, and for the sale of the land appropriated as a common for the use of the inhabitants of the said town," approved the twentieth day of April, eighteen hundred and eighteen, be, and the same are hereby, transferred to and vested in the common council of the city of Vincennes, in said State. (a)

Rights and duties transferred to common council of Vincennes.

(a) See Nos. 191, 227.

No. 312.—AN ACT to continue the land offices at Vincennes, Indiana, and to ascertain and adjust the titles to certain lands in the States of Indiana and Illinois, formerly included within the Vincennes land district.

Aug. 18, 1856.
Vol. 11, p. 140.

Be it enacted, &c., That the register and receiver of the land offices at Vincennes, to be appointed, together with a fit and proper person learned in the law, and a citizen of Indiana, to be appointed by the President of the United States, are hereby constituted commissioners to ascertain and adjust the title of any claimant to any tract of land, or any part or subdivision thereof, granted by the resolution of Congress of the twenty-ninth of August, seventeen hundred and ninety-one, entitled "An act for granting lands to the inhabitants and settlers at Vincennes, and the Illinois country, in the territory northwest of the Ohio, and for confirming them in their possessions," and the several acts in aid of and supplementary thereto. (a)

Commissioners on certain land claims in Indiana and Illinois.

SEC. 2. *And be it further enacted*, That every such claimant to any tract of land so granted, or any part or subdivision thereof, shall, within three months after the publication of the notice herein provided for, file his claim in writing with the said register, in which he shall specifically set forth such facts as shall be required in the instructions of the Commissioner of the General Land Office: *Provided*, That in any case in which good cause may be shown why the claim was not filed within the period stipulated, such claim may be presented and acted upon at any time before the expiration of the commission.

Claims to be filed in three months.

Provided.

SEC. 3. *And be it further enacted*, That such register, upon the receipt of such instructions, shall give notice in the several newspapers of general circulation within said district and in the vicinity of said lands, by publication, of his readiness to receive applications of claimants, to which notice shall be appended the instructions of the Commissioner and a copy of this act.

Notice to file claim.

Meeting of commissioners. SEC. 4. *And be it further enacted,* That said commissioners shall meet immediately after the time allowed for filing such claims, and shall hold their sessions at the town of Vincennes. They shall have power to issue subpoenas, and compel the attendance of witnesses, administer all necessary oaths, and to hear and decide, in a summary manner, all matters respecting such claims. Minutes of the proceedings, decisions, meetings, and adjournments of the board, shall be regularly entered in a book kept for that purpose.

Their powers. SEC. 5. *And be it further enacted,* That every claimant to any tract of land so granted, or any subdivision thereof, who can produce to such commissioner a regular chain of title from the original conferee or donee to himself, or who can show to their satisfaction a continuous and connected possession in himself, and those under whom he claims, for a period of twenty years or more next preceding the filing of his claim, or can show such a claim or title as would, in the courts of Indiana, bar an action of ejectment, such claimant shall be confirmed in his title.

What claims shall be confirmed. SEC. 6. *And be it further enacted,* That said commissioners shall, in one year from the date of organizing said commission under this act, or sooner, if the cases on their docket are all disposed of, transmit to the Commissioner of the General Land Office a transcript of their decisions in favor of claimants, which shall contain a fair statement of the evidence on which each respective claim is founded; and also a transcript of their decisions against claimants, with a like statement of the evidence, and the reason of such rejection.

Transcript of decisions. SEC. 7. *And be it further enacted,* That the Commissioner of the General Land Office, upon the receipt of such transcript of their decisions, shall issue a patent to such claimant so confirmed in his title by the said commissioners; and where any such claims have been rejected, the said Commissioner, upon application of the proper person, shall have power to revise such decision of the said board, and may, if in his opinion the evidence warrants it, reverse such decision, and issue a patent therefor to such claimant: *Provided,* That this right to revise shall not extend to those claims rejected, where the same lands have been confirmed by the said board to some other claimant: *And provided further,* That the patents so issued shall only be a relinquishment of the title of the United States, and shall not be considered or construed into an abridgment of the rights of third persons.

Patent to issue when the claim is confirmed. SEC. 8. *And be it further enacted,* That immediately after the passage of this act, the Commissioner of the General Land Office shall give directions to the register and receiver of the land offices at Indianapolis forthwith to transfer to the land offices at Vincennes the books, documents, maps, plats, surveys, and all other papers and writings deposited in the land offices at Indianapolis by the register and receiver of the land offices at Vincennes, and which originally were deposited in the land offices at Vincennes, and were transferred from said offices to the land offices at Indianapolis, under the provisions of the act "for abolishing land offices under certain circumstances, and for other purposes," approved June the twelfth, eighteen hundred and forty; and the said land offices at Vincennes are hereby reestablished and reorganized, as fully and effectually for the transaction of business and the sales of the public lands within said Vincennes land district, as if said land offices had not been abolished by the provisions of the act last aforesaid. (b)

Revisal of rejections. SEC. 9. *And be it further enacted,* That the commissioner, appointed under this act by the President, shall receive as a full compensation for his services, a salary at the rate of three thousand dollars per annum, payable quarterly out of the Treasury; and the register and receiver shall receive such compensation for their services under this act as may be just and proper, in the discretion of the Commissioner of the General Land Office.

Provisos. SEC. 10. *And be it further enacted,* That it shall be the duty of the Commissioner of the General Land Office, to prescribe such rules and regulations as may be necessary to give full effect to the provisions of this act.

Patents to be only a relinquishment of title. SEC. 11. *And be it further enacted,* That the commissioner, appointed under this act by the President, shall receive as a full compensation for his services, a salary at the rate of three thousand dollars per annum, payable quarterly out of the Treasury; and the register and receiver shall receive such compensation for their services under this act as may be just and proper, in the discretion of the Commissioner of the General Land Office.

Certain books, &c., to be transmitted to commissioners. SEC. 12. *And be it further enacted,* That the commissioner, appointed under this act by the President, shall receive as a full compensation for his services, a salary at the rate of three thousand dollars per annum, payable quarterly out of the Treasury; and the register and receiver shall receive such compensation for their services under this act as may be just and proper, in the discretion of the Commissioner of the General Land Office.

Land offices at Vincennes re-established. SEC. 13. *And be it further enacted,* That the commissioner, appointed under this act by the President, shall receive as a full compensation for his services, a salary at the rate of three thousand dollars per annum, payable quarterly out of the Treasury; and the register and receiver shall receive such compensation for their services under this act as may be just and proper, in the discretion of the Commissioner of the General Land Office.

Pay of commissioner. SEC. 14. *And be it further enacted,* That the commissioner, appointed under this act by the President, shall receive as a full compensation for his services, a salary at the rate of three thousand dollars per annum, payable quarterly out of the Treasury; and the register and receiver shall receive such compensation for their services under this act as may be just and proper, in the discretion of the Commissioner of the General Land Office.

Pay of register and receiver. SEC. 15. *And be it further enacted,* That the commissioner, appointed under this act by the President, shall receive as a full compensation for his services, a salary at the rate of three thousand dollars per annum, payable quarterly out of the Treasury; and the register and receiver shall receive such compensation for their services under this act as may be just and proper, in the discretion of the Commissioner of the General Land Office.

Rules and regulations to be established. SEC. 16. *And be it further enacted,* That the commissioner, appointed under this act by the President, shall receive as a full compensation for his services, a salary at the rate of three thousand dollars per annum, payable quarterly out of the Treasury; and the register and receiver shall receive such compensation for their services under this act as may be just and proper, in the discretion of the Commissioner of the General Land Office.

(a) See Nos. 191, 192, 196, 197, 199, 200, 205, 210, 211, 214, 308, 313, 321.

(b) See Nos. 196, 205, 207, 231, 237, 268, 247, 256, 265, 297, 310, 314, 316.

No. 313.—A RESOLUTION to return to the land office at Vincennes, Indiana, certain deeds transmitted to the General Land Office by the board of commissioners appointed under the "Act to ascertain and adjust the titles to certain lands in the State of Indiana," approved July twenty-seventh, one thousand eight hundred and fifty-four.

March 3, 1857.
Vol. 11, p. 256.

Resolved, &c., That in all cases where the deed and evidences of titles have been transmitted to the Commissioner of the General Land Office under the "Act to ascertain and adjust the titles to certain lands in the State of Indiana," approved July twenty-seventh, one thousand eight hundred and fifty-four, as is provided for in section six of said act, that such deeds and evidences of titles in all cases where there has been an action on the same, whether confirmed or rejected by the board of commissioners constituted under said act, shall be returned by the Commissioner of the General Land Office to the original claimants. (a)

Deeds and evidences of titles to be returned to original claimants where action has been had on the claim.

(a) See Nos. 191, 192, 196, 197, 199, 200, 205, 210, 211, 214, 308, 312, 321.

No. 314.—AN ACT to continue the office of register of the land office at Vincennes Indiana.

Dec. 21, 1853.
Vol. 11, p. 373.

Be it enacted, &c., That to enable persons interested in titles to land in the Vincennes district, Indiana, to perfect the same, and for the transaction of such other business as may require his services, the office of register of the land office at that place shall be continued for the period of three years from and after the passage of this act, if, in the opinion of the President of the United States, the public interests so long require it.

Office of register continued three years, if necessary.

SEC. 2. *And be it further enacted*, That it shall be the duty of the register, under directions from the Secretary of the Interior, to issue such patent certificates, or other evidences of title, as may from time to time be necessary, as the basis of patents for the ancient private claims in that district that have been recognized by various confirmatory laws, and that prior to finally closing the district, three months' public notice shall be given thereof.

Duty of register.

SEC. 3. *And be it further enacted*, That a register shall be appointed by the President under this act, by and with the advice and consent of the Senate, which register shall be authorized to perform all such duties, both as register and receiver, as shall be prescribed by the Secretary of the Interior, and shall receive in full for the same a salary of five hundred dollars per annum, and such fees for preëmption or bounty-land locations as existing United States laws allow, and in making transcripts of original papers for individuals, said register shall have a right to charge therefor, according to the tariff existing in the local courts of the district.

Register to be appointed, and to act as receiver.

Salary.

Fees.

SEC. 4. *And be it further enacted*, That the officer so appointed shall be required to reside at Vincennes and to give bond for the faithful performance of his duties, the safety of the archives in his charge, and the public moneys which may be received by him, in such penalty as the President of the United States may deem necessary. (a)

Residence of register, and bond.

(a) See Nos. 196, 205, 207, 231, 237, 238, 247, 256, 265, 297, 310, 312, 316.

No. 315.—AN ACT for the relief of congressional township number twenty-seven, north, of range number six, east, in Wabash County, Indiana.

March 3, 1859.
Vol. 11, p. 438.

Be it enacted, &c., That the auditor of the county of Wabash, aforesaid, for the time being, be authorized and allowed to make entry in his own official name of the quantity of five hundred and thirty-seven and ninety one-hundredths acres, in legal subdivisions, of any lands of the United States, on any part of the public domain subject to private entry, at the minimum price of one dollar and twenty-five cents per acre, the same, when so entered being hereby made, and declared to be for the benefit of the inhabitants of congressional township number twenty-seven, north, of range number six, east, in the county of Wabash, and State of Indiana, and to stand in lieu of a deficit of that quantity in the amount of school lands belonging to said township, and to be held and controlled in the same manner.

Auditor of Wabash county, Indiana, may enter certain lands in lieu of deficit of school lands, &c.

SEC. 2. *And be it further enacted*, That when the said lands shall have been selected and entered as aforesaid, and duly reported to and approved by the Secretary of the Interior, he shall cause a patent or patents to issue therefor. (a)

Patent to issue therefor.

(a) See Nos. 196, 205, 215, 236, 249, 261, 278, 290.

July 12, 1862.
Vol. 12, p. 542.

No. 316.—AN ACT for the relief of the register of the land office at Vincennes, Indiana, and for other purposes.

Register of land office at Vincennes to be allowed for office rent.

Payment to John Moore for custody of papers.

Be it enacted, &c., That the Secretary of the Interior be, and he is hereby, authorized to make such allowance for office rent during the temporary continuance of the land office at Vincennes, Indiana, as may, in his opinion, be just and proper.

SEC. 2. *And be it further enacted,* That the said Secretary be authorized to adjust the account of John Moore, postmaster at Vincennes, Indiana, and allow him, at the usual rates for such services, compensation for the custody of the books, papers, and so forth, of the land office at Vincennes, Indiana, during the time the same were in his charge, under instructions from the Commissioner of the General Land Office, dated September third, eighteen hundred and fifty-eight; these allowances to be paid out of the appropriation for incidental expenses of district land offices: *Provided,* That the total sum paid under this act shall not exceed five hundred dollars. (a)

(a) See Nos. 196, 205, 207, 231, 237, 238, 247, 256, 265, 297, 310, 312, 314.

July 1, 1870.
Vol. 16, p. 187.

No. 317.—AN ACT in relation to certain unsold lands in the counties of Porter and Lake, in the State of Indiana.

Preamble.

Whereas there is lying along the Little Calumet River, in the counties of Porter and Lake, in the State of Indiana, a body of lands supposed to contain about four thousand acres, which has never been sold or surveyed, and which was described in the original Government surveys as impassible morass; and whereas the Calumet Draining Company has been organized under the laws of said State, for the purpose of draining the valley of said river including said morass: Therefore,

Certain unsold lands on Little Calumet River, Indiana, declared subject to State lien for cost of drainage.

Proviso.

Lands may be surveyed and sold subject to lien.

Be it enacted, &c., That said unsold lands shall be subject to a lien under the laws of the State of Indiana for its proper proportion of the cost of such drainage, and such lien may be enforced against said lands in the same manner and to the same extent as if the said lands were owned by private persons: *Provided,* That no claim shall be held to exist against the United States for such drainage.

SEC. 2. *And be it further enacted,* That said lands may be surveyed (a) and sold (b) to the highest bidder, under the directions of the Secretary of the Interior, subject to said lien.

(a) See Nos. 194, 196, 197, 205, 247, 266.

(b) See Nos. 196, 197, 198, 200, 205, 207, 208, 218, 232, 237, 238.

June 1, 1872.
Vol. 17, p. 213.

No. 318.—AN ACT to authorize the Secretary of the Interior to make partition of the reservation to Me-shin-go-me-sia, a Miami Indian.

Partition to be made of the reservation in trust for the band of Me-shin-go-me-sia.

Right to purchase released.
Expenses of partition.

If chief fails to make application within, &c.

Names of members of band on Nov. 28, 1840, to be ascertained, and partition made to survivors, &c.

Be it enacted, &c., That the Secretary of the Interior be, and he is hereby, authorized and directed, on written application of the chief of said band being first filed in his office, to cause partition to be made of the reservation in trust for the band of Me-shin-go-me-sia, of ten sections of land made by the seventh article of the treaty between the United States and the Miami tribe of Indians, entered into on the twenty-eighth day of November, eighteen hundred and forty, and by the Senate amendment thereto; and the United States hereby release to said band all right of purchase of said reservation. The expenses of said partition to be paid by said band, and the amount to be deducted by the Secretary of the Interior from any annuities or other moneys due or to become due the several persons to whom partition shall be made: *Provided,* That any costs or expenses made by claimants who shall not be found entitled to share in said lands shall not be a lien thereon, but shall be paid by said claimants, to be retained by said Secretary, out of any moneys that may be due or become due them from the United States: *And provided further,* That if from any cause the chief of said band shall fail to make said written application within six months next after the passage of this act any person or persons interested in said lands may make the same.

SEC. 2. That the Secretary of the Interior shall ascertain, by name, what persons constituted the band of Me-shin-go-me-sia on the twenty-eighth day of November, anno Domini eighteen hundred and forty, and then shall proceed to make partition of said reserved land per capita, share and share alike in value, to the survivors of said band, and to their descendants, and to descendants of those who were members of said band at said date, but who have since deceased. He shall also in-

clude in said partition list those persons of Miami blood not of said band, but who have intermarried with a member of said band, and who may be living at the date of said partition. In making said partition lists the Secretary of the Interior is authorized to take or cause to be taken such testimony as he may deem necessary with the information now in his office, to enable him to discharge his duties under this act. Such testimony may be taken before any person authorized to take and certify depositions under the law of the State of Indiana. The testimony to be taken on said reservation.

Certain persons intermarried to be included in list.

Testimony how to be taken.

SEC. 3. That in the partition of said reservation the homes and improvements of the several persons entitled under section two of this act shall be set apart to the occupants as far as can be done in justice to all the parties in interest, the value of said improvements not in any case to be estimated where the same shall be on land awarded to the person who made or caused them to be made, the corners of the several tracts to be distinctly marked and witnessed, and a record kept thereof and filed in the office of the Secretary of the Interior; and certified copies thereof and of the lists so made, as heretofore provided, to be forwarded to and filed in the offices of the auditors of Grant and Wabash counties, in the State of Indiana, where said land lies. The Secretary of the Interior shall, so soon as said partition is made, cause patents to issue to the several persons to whom partition is made under this act, conveying in fee to each the tract of land so set apart to him or her, which shall entitle the owner thereof to the use, occupancy, and control of the same against all claims whatsoever: *Provided*, That after the date of partition the said lands shall become subject to the laws of descent of the State of Indiana the same as other lands in said State.

Homes and improvements.

Value of improvements.

Copies to be sent to auditors of Grant and Wabash counties, Indiana. Patents to issue.

After partition, lands subject to laws of descent of Indiana.

SEC. 4. That said lands shall never be subject, in any time to come, to any debt contracted, the consideration of which passed, in whole or part, prior to the date of partition thereof; nor shall said lands be subject to levy, sale, forfeiture, or mortgage, nor to any lease for a longer period at any one time than three years (to be in writing in all cases), prior to the first day of January, eighteen hundred and eighty-one; nor shall said lands be disposed of, contracted, or sold by the owners thereof, under this partition, prior to the first day of January, eighteen hundred and eighty-one: *Provided*, That the same shall be subject to taxation as other property under the laws of the State of Indiana on and after that date.

Lands not to be subject to, &c.

To be subject to taxation after, &c.

SEC. 5. That the members of said band, and their descendants, shall become citizens of the United States on the first day of January, eighteen hundred and eighty-one.

Members of band, &c., when to become citizens.

NO. 319.—AN ACT to authorize the issuance of college scrip to the State of Arkansas, and for other purposes.

Dec. 13, 1872.
Vol. 17, p. 397.

SEC. 2. That the time within which the State of Indiana may comply with the provisions of the act of July twenty-third, eighteen hundred and sixty-six, entitled "An act to amend the fifth section of an act entitled 'An act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts,' approved July second, eighteen hundred and sixty-two, so as to extend the time within which the provisions of said act shall be accepted and such colleges established," is hereby extended so that the State of Indiana shall have the period of two years after the first day of July, eighteen hundred and seventy-two, within which to provide at least one college, as described in the fourth section of an act entitled "An act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts," approved July second, eighteen hundred and sixty-two.

Time within which the State of Indiana may provide an agricultural college extended.

NO. 320.—AN ACT to release to the State of Indiana the lands known as the bed of Beaver Lake, in Newton County, in said State.

Jan. 11, 1873.
Vol. 17, p. 409.

Be it enacted, &c., That the lands in Newton County in the State of Indiana, known as the bed of Beaver Lake, the same having been drained and reclaimed at the expense of the State of Indiana and its assignees be, and the same are hereby, released and quit-claimed to the State of Indiana.

Certain lands in Newton County, Indiana, released to that State.

March 3, 1873.
Vol. 17, p. 614.

No. 321.—AN ACT authorizing the award to the Vincennes University of certain vacant and abandoned lands in Knox County, Indiana.

Preamble.

Whereas, it is alleged that there are certain parcels of abandoned lands in Knox County, Indiana, which are covered by old Vincennes donation claims, which have become abandoned and to which there is no subsisting confirmation or settlement by individuals as owners under confirmation: Therefore,

Patent to issue to Vincennes University for land awarded to it by decree of court.

Be it enacted, &c., That it shall and may be lawful for the Vincennes University, a corporation existing under the laws of the State of Indiana, to file in the United States district court for the district of Indiana a petition descriptive of such abandoned and unclaimed donations in Knox County of that State, accompanied by such testimony as may be relied upon in support of the said alleged abandonment, with evidence that such list has been published for a period of at least three months in Knox County and calling on all parties to show cause, if such exist, why such tracts or parcels of land should not be declared vacant; and thereafter in such cases as the said court shall find the tracts to be abandoned and not claimed by any individuals under any confirmation, or otherwise, it shall have power to render a decree accordingly, and upon such decree being deposited in the General Land Office, with a patent certificate from the register of the land office at Indianapolis, Indiana, a patent shall issue to the said Vincennes University for the parcels of land so decreed as abandoned and awarded to said university: *Provided*, That all proceedings in the premises shall be at the cost of said university, and that the patents so issued shall operate only as a quit-claim on the part of the United States, and shall not affect the valid adverse rights of any person should such hereafter be found to exist; and such patents and decrees shall have no effect upon or in respect to such adverse rights. (a)

Proceedings to obtain the decree, and at whose cost.

Patent, &c., not to affect adverse rights, but only to quit-claim, &c.

(a) See Nos. 191, 200, 205, 210, 211, 214, 308, 312, 313.

July 31, 1876.
Vol. 19, p. 121.

No. 322.—AN ACT making appropriations, &c.

[Land office at Indianapolis, Indiana, abolished. See OHIO, No. 189.]

June 15, 1878.
Vol. 20, p. 545.

No. 323.—AN ACT for the relief of Joseph F. Wilson.

Joseph F. Wilson.
Land warrants to be issued to.

Be it enacted, &c., That the Commissioner of the General Land Office, under the direction of the Secretary of the Interior, be, and he is hereby, authorized and required to issue to Joseph F. Wilson, or his legal representatives, a number of warrants equal to two hundred acres, in tracts not less than the subdivisions provided for in the United States land laws, to be located by the said Wilson, or his legal representatives or assigns, on any of the unoccupied and unappropriated public lands of the United States, subject to pre-emption or homestead entry, in lieu of the southwest quarter of section twenty-nine, in township twenty-five north, of range four west, situate in White County, Indiana, and the southwest quarter of the southwest quarter of section thirty-five, in township thirty-eight north, of range four east, situate in Elkhart County, Indiana, which said tracts of land were entered by and patented to William Voight, Josiah Smith, and John H. Smith, under and by virtue of the provisions of the acts of Congress approved June eighth, eighteen hundred and seventy-two, and March third eighteen hundred and seventy-three, relating to additional homesteads, and by the said William Voight, Josiah Smith, and John H. Smith, after their said entry, sold and conveyed to the said Wilson, and of which the said Wilson was divested and dispossessed by the judgments and decrees of the circuit court of the United States for the district of Indiana, at the November term, anno Domini eighteen hundred and seventy-six, thereof, by reason, as the said court held and decided, of a prior disposal of said lands by the United States to persons other than the said William Voight, Josiah Smith, and John H. Smith; and the said Wilson or his legal representatives or assigns, after the location of the said warrants on such lands as he or they may select, shall be allowed patents for the lands so located.

And the lands taken, selected, and located, as authorized and provided by this act, shall be in full satisfaction of any claim, right, or benefit which the said William Voight, Josiah Smith, and John H. Smith may have, or may have had, under and by virtue of the said acts of Congress, as well as in full satisfaction of any claim which the said Wilson, as assignee, or grantee of the said William Voight, Josiah Smith, and John H. Smith, may have, or may have had, against the United States.

SEC. 2. And the patent for the southwest quarter of section twenty-nine, in township twenty-five north, of range five west, issued to James S. Chilton, on his location of military bounty-land warrant number six hundred and sixty-four, under the act of February eleventh, eighteen hundred and forty-seven, may be surrendered and duly relinquished to the United States; whereupon a patent shall be issued in the name of said James S. Chilton for the southwest quarter of section twenty-nine, in township twenty-five north, of range four west, being the tract intended to be located by him, and the entry of said tract in said range five by said Chilton to be canceled. But nothing contained in this section shall be construed to limit or qualify the rights of said Wilson under this act, except that, before the warrants herein authorized and provided for in his favor shall issue, he shall relinquish and reconvey to the United States the lands of which he was so divested or disposed.

James S. Chilton.
Surrender of
erroneous patent,
and issue of correct one.

ILLINOIS.

March 3, 1791. Vol. 1, p. 221. No. 324.—AN ACT for granting lands to the inhabitants and settlers of Vincennes and the Illinois country, in the territory northwest of the Ohio, and for confirming them in their possessions. (a)

Grant to P. Gibault and St. Jam Beouvais. SEC. 7. *And be it further enacted*, That two lots of land heretofore in the occupation of the priests at Cahokia, and situated near that village, be, and the same is hereby granted in fee to P. Gibault; and that a tract of land at Kaskaskia, formerly occupied by the Jesuits, be laid off and confirmed to St. Jam Beouvais, who claims the same in virtue of a purchase thereof.

Donation lands to be laid out according to act of Congress of June 20, 1788. SEC. 8. *And be it further enacted*, That so much of the act of Congress of the twenty-eighth of August, one thousand seven hundred and eighty-eight, as refers to the locations of certain tracts of land directed to be run out and reserved for donations to the ancient settlers in the Illinois country, be, and the same is hereby repealed, and the governor of the said territory is directed to lay out the same, agreeably to the act of Congress of the twentieth of June, one thousand seven hundred and eighty-eight.

(a) See Nos. 191, 324, 325, 329, 331, 336, 337, 338, 352, 438.

March 3, 1807. Vol. 2, p. 446. No. 325.—AN ACT confirming claims to land in the district of Vincennes; and for other purposes.

Register and receiver of Kaskaskias allowed a further time. Additional compensation to them. SEC. 6. *And be it further enacted*, That the register and receiver of public monies in the district of Kaskaskias, be allowed till the first day of December next, to complete the investigation of claims to land in the said district. And each of the said officers, and the clerk of the board, shall be allowed an additional compensation of five hundred dollars, in full for his service in relation to such claims. (a)

(a) See Nos. 191, 324, 327, 329, 331, 336, 337, 338, 352, 438.

Feb. 3, 1809. Vol. 2, p. 514. No. 326.—AN ACT for dividing the Indiana Territory into two separate governments.

Indiana Territory divided, and the Illinois formed. *Be it enacted, &c.*, That from and after the first day of March next, all that part of the Indiana Territory which lies west of the Wabash River, and a direct line drawn from the said Wabash River and Post Vincennes, due north to the territorial line between the United States and Canada, shall, for the purpose of temporary government, constitute a separate Territory, and be called Illinois.

A government similar to that provided for the Northwest Territory provided. SEC. 2. *And be it further enacted*, That there shall be established within the said Territory a government in all respects similar to that provided by the ordinance of Congress, passed on the thirteenth day of July, one thousand seven hundred and eighty-seven, for the government of the territory of the United States, northwest of the river Ohio; and by an act passed on the seventh day of August, one thousand seven hundred and eighty-nine, intituled "An act to provide for the government of the territory northwest of the river Ohio;" and the inhabitants thereof shall be entitled to, and enjoy all and singular the rights, privileges and advantages, granted and secured to the people of the territory of the United States, northwest of the river Ohio, by the said ordinance.

Officers' duties, &c. SEC. 3. *And be it further enacted*, That the officers for the said territory, who, by virtue of this act, shall be appointed by the President of the United States, by and with the advice and consent of the Senate, shall respectively exercise the same powers, perform the same duties, and receive for their services the same compensations, as by the ordinance aforesaid, and the laws of the United States, have been provided and established for similar officers in the Indiana Territory. And the duties and

emoluments of superintendent of Indian affairs shall be united with those of governor: *Provided*, That the President of the United States shall have full power, in the recess of Congress, to appoint and commission all officers herein authorized, and their commissions shall continue in force until the end of the next session of Congress.

Proviso.

SEC. 4. *And be it further enacted*, That so much of the ordinance for the government of the territory of the United States northwest of the Ohio River, as relates to the organization of a general assembly therein, and prescribes the powers thereof, shall be in force and operate in the Illinois Territory, whenever satisfactory evidence shall be given to the governor thereof that such is the wish of a majority of the freeholders, notwithstanding there may not be therein five thousand free male inhabitants of the age of twenty-one years and upwards: *Provided*, That until there shall be five thousand free male inhabitants of twenty-one years and upwards in said Territory, the whole number of representatives to the general assembly shall not be less than seven, nor more than nine, to be apportioned by the governor to the several counties in the said Territory, agreeably to the number of free males of the age of twenty-one years and upwards, which they may respectively contain.

Ordinance for the government of the Northwest Territory to be in force in the Illinois Territory.

SEC. 5. *And be it further enacted*, That nothing in this act contained shall be construed so as in any manner to affect the government now in force in the Indiana Territory, further than to prohibit the exercise thereof within the Illinois Territory, from and after the aforesaid first day of March next.

Government of Indiana, how affected by this act.

SEC. 8. *And be it further enacted*, That until it shall be otherwise ordered by the legislature of the said Illinois Territory, Kaskaskia on the Mississippi River, shall be the seat of government for the said Illinois Territory. (a)

Kaskaskia to be the seat of government.

(a) See Nos. 337, 346, 347, 378, 394.

NO. 327.—AN ACT to revive and continue for a further time, the authority of the commissioners of Kaskaskia.

Feb. 15, 1809.
Vol. 2, p. 517.

Be it enacted, &c., That the powers heretofore vested in the register and receiver of public monies for the district of Kaskaskia be, and the same are hereby revived; and the said register and receiver shall be allowed until the first day of January next, to complete the investigation of claims to land in said district; they shall have full power to revise any of their former decisions, and also the same power and authority in relation to claims to land in the village of Pioria; notices of which have heretofore been filed as they have in relation to other claims in the said district; and the said register and receiver, and the clerk of the board, shall each be allowed an additional compensation of five hundred dollars, in full for his services in relation to such claims. (a)

Powers vested in the register and receiver of Kaskaskia revived and continued to Jan. 1, 1810.

(a) See Nos. 191, 324, 325, 329, 331, 336, 337, 338, 352, 438.

NO. 328.—AN ACT providing for the sale of certain lands in the Indiana Territory, and for other purposes.

April 30, 1810.
Vol. 2, p. 590.

SEC. 6. *And be it further enacted*, That a tract of land in the Illinois Territory, at, and including Shawneetown, on the Ohio River, shall, under the direction of the surveyor-general, be laid off into town lots, streets and avenues, and into out-lots, in such manner and of such dimensions as he may judge proper: *Provided*, The tract so to be laid off shall not exceed the quantity of land contained in two entire sections, nor the town lots one quarter of an acre each. (a) When the survey of the lots shall be completed, a plat thereof shall be returned to the surveyor-general, on which the town lots and out-lots shall respectively be designated by progressive numbers, who shall cause two copies to be made, one to be transmitted to the Secretary of the Treasury, and the other to the register of the land office; and the lots shall be offered to the highest bidder at public sale, at the same time and place, on the same terms and conditions, (except as to the quantity of land,) as have or may be provided for the sale of the other public lands in the said Territory: *Provided*, That no town lot shall be sold for a less price than eight dollars, nor any out-lot for less than at the rate of five dollars an acre. (b)

A tract of land in the Illinois Territory to be laid off under direction of surveyor-general.

The tract laid off into lots not to exceed the quantity in two sections.

No town lot to be sold for less than eight dollars.

(a) See Nos. 333, 340, 342, 344, 370, 386.

(b) See Nos. 330, 332, 334, 336, 337, 338, 339, 341, 351, 360, 370, 374, 389, 432, 433, 440.

May 1, 1810.
Vol. 2, p. 607.

Decisions of
the commission-
ers confirmed.

No. 329.—AN ACT confirming the decisions of the commissioners in favour of the claimants of land in the district of Kaskaskia.

Be it enacted, &c., That all the decisions made by the commissioners appointed for the purpose of examining the claims of persons claiming lands in the district of Kaskaskia, in favour of such claimants, as entered in the transcript of decisions, bearing date the thirty-first day of December, eighteen hundred and nine, which have been transmitted by the said commissioners to the Secretary of the Treasury according to law, be, and the same are hereby confirmed. (a)

(a) See Nos. 191, 324, 325, 327, 331, 336, 337, 338, 352, 438.

Feb. 25, 1811.
Vol. 2, p. 649.

No. 330.—AN ACT providing for the removal of the land office established at Nashville, * * *.

[Register and receiver in district of Kaskaskia to conduct public sales of lands. See MISSISSIPPI, No. 1279.]

Feb. 20, 1812.
Vol. 2, p. 677.

Register and
receiver of the
land office at Kas-
kaskia to inquire
into validity of
certain claims to
land.

A clerk to be
employed by
them.

Report to be
made to Secre-
tary of the Treas-
ury, which is to
be laid before
Congress.

Commissioners,
clerk, and agent;
their compensa-
tion; how to be
paid.

Decisions of
commissioners,
when to be con-
firmed.

Proviso as to
decisions in other
cases.

No. 331.—AN ACT for the revision of former confirmations, and for confirming cer-
tain claims to land in the district of Kaskaskia.

Be it enacted, &c., That the register and receiver of public monies of the land office at Kaskaskia, and such other person as the President of the United States shall appoint for that purpose, be, and they are hereby authorized to examine and inquire into the validity of claims to land in the district of Kaskaskia, which are derived from confirmations made, or pretended to have been made, by the governors of the Northwest and Indiana Territory, respectively. They shall employ a clerk, and shall, in relation to the claims aforesaid, have, in every respect, the same powers which had been vested in the commissioners appointed to ascertain the claims to land in the said district. And they shall report to the Secretary of the Treasury, to be by him laid before Congress at their next session, their opinion on each of the claims aforesaid.

SEC. 2. *And be it further enacted,* That the commissioners and clerk, appointed by this act, and such agent, as may be appointed on behalf of the United States by the Secretary of the Treasury, shall each receive five hundred dollars in full for the services performed by them under this act; which compensation, and also the contingent charges for office rent, fuel, stationery and summoning witnesses on the part of the United States, shall be paid out of the monies appropriated by law for surveying the public lands of the United States.

SEC. 3. *And be it further enacted,* That the decisions made by the commissioners, heretofore appointed for the purpose of examining the claims of persons to lands in the district of Kaskaskia, in favour of such claimants to town or village lots, out-lots or rights in common, to commons and common-fields, as entered in the transcripts of decisions, bearing date the thirty-first day of December, one thousand eight hundred and nine, which have been transmitted by the said commissioners to the Secretary of the Treasury, according to law, be confirmed to all such rightful claimants according to their respective rights thereto: *Provided,* That nothing herein contained, shall be construed to confirm any particular decision, heretofore made in favour of any individual, or to affect the right of any other individual claiming the same land; but such conflicting claims shall be decided according to law by the proper tribunal. (a)

(a) See Nos. 191, 324, 325, 327, 329, 336, 337, 338, 352, 438.

Feb. 21, 1812.
Vol. 2, p. 684.

Land district
formed.

Land offices in
Illinois.

No. 332.—AN ACT to establish a land district in the Illinois Territory, east of the district of Kaskaskia, and to attach certain public lands to the district of Jeffersonville.

Be it enacted, &c., That so much of the public lands of the United States, heretofore included within the land district of Kaskaskia, as lies east of the third principal meridian, established by the surveyor-general, shall, together with the public lands lying between the Vincennes and Kaskaskia districts, and not heretofore attached to any district, form a new land district. For the disposal of the said lands, a land office shall be established at Swaneeetown, under the direction of the register of the land office and receiver of public monies, to be appointed for that purpose; who shall reside at the place, give security in the same manner,

in the same sums, and whose compensation, emoluments and duties, and authority, shall, in every respect, be the same in relation to the lands which shall be disposed at their office, as are, or may be by law provided in relation to the registers and receivers of public monies in the several offices, established for the disposal of the lands of the United States, northwest of the river Ohio. (a)

SEC. 2. *And be it further enacted*, That the said lands shall be disposed of in the same manner, and on the same terms and conditions as are, or may be provided by law for the sale of public lands in the district of Kaskaskia: *Provided*, That no tracts of land, excepted from the sales by virtue of any former act, shall be sold by virtue of this act: *And provided also*, That a tract of not less than six mile square shall be reserved by the President of the United States for the use and support of the public salt works on Saline Creek. (b)

How the lands are to be disposed of.

(a) See Nos. 196, 339, 350, 360, 363, 374, 383, 389, 449.

(b) See Nos. 328, 330, 334, 336, 337, 338, 339, 341, 351, 360, 370, 374, 389, 432, 433, 440.

NO. 333.—AN ACT to provide for designating, surveying and granting the military bounty lands.

May 6, 1812.
Vol. 2, p. 728.

[See MICHIGAN, No. 458.]

NO. 334.—AN ACT giving the right of pre-emption in the purchase of lands to certain settlers in the Illinois Territory.

Feb. 5, 1813.
Vol. 2, p. 797.

Be it enacted, &c., That every person, or legal representative of every person, who has actually inhabited and cultivated a tract of land lying in either of the districts established for the sale of public lands, in the Illinois Territory, which tract is not rightfully claimed by any other person, and who shall not have removed from said Territory; every such person and his legal representatives shall be entitled to a preference in becoming the purchaser from the United States of such tract of land at private sale, at the same price and on the same terms and conditions in every respect, as are or may be provided by law for the sale of other lands sold at private sale in said Territory, at the time of making such purchase: *Provided*, That no more than one quarter-section of land shall be sold to any one individual, in virtue of this act; and the same shall be bounded by the sectional and divisional lines run, or to be run, under the direction of the surveyor-general for the division of the public lands: *Provided also*, That no lands reserved from sale by former acts, or lands which have been directed to be sold in town lots, and out-lots, shall be sold under this act.

Inhabitants and cultivators of land lying in districts established for the sale thereof, entitled to preference in purchasing.

No more than one quarter-section to be sold to any individual. No lands to be sold which were reserved by former acts.

SEC. 2. *And be it further enacted*, That every person claiming a preference in becoming the purchaser of a tract of land, in virtue of this act, shall make known his claim, by delivering a notice in writing, to the register of the land office, for the district in which the land may lie, wherein he shall particularly designate the quarter-section he claims; which notice the register shall file in his office, on receiving twenty-five cents from the person delivering the same. And in every case where it shall appear to the satisfaction of the register and receiver of public monies of the land office, that any person, who has delivered his notice of claim, is entitled, according to the provisions of this act, to a preference in becoming the purchaser of a quarter-section of land, such person so entitled shall have a right to enter the same, with the register of the land office, on producing his receipt from the receiver of public monies for at least one-twentieth part of the purchase money, as in case of other public lands sold at private sale: *Provided*, That all lands to be sold under this act shall be entered with the register, at least two weeks before the time of the commencement of the public sales, in the district wherein the land lies: and every person having a right of preference in becoming the purchaser of a tract of land, who shall fail so to make his entry with the register, within the time prescribed, his right shall be forfeited, and the land by him claimed shall be offered at public sale, with the other public lands in the district to which it belongs. (a)

Persons claiming a preference in purchasing to deliver notice in writing to the register of the land office, &c.

If a person is entitled to a preference he may enter the same.

Proviso.

How the preference may be forfeited.

(a) See Nos. 328, 330, 332, 336, 337, 338, 339, 341, 351, 360, 370, 374, 389, 432, 433, 446.

March 28, 1814.
Vol. 3, p. 113.

No. 335.—AN ACT concerning Shawneetown.

A town to be
laid off.

Be it enacted, &c., That a tract of land not exceeding two sections, in the Illinois Territory, adjoining Shawneetown, shall, under the directions of the surveyor-general, be laid off into town lots, streets, and avenues, and out-lots, in the same manner, under the same restrictions, as are prescribed by the sixth section of the act entitled "An act providing for the sale of certain lands in the Indiana Territory, and for other purposes," approved the thirtieth day of April, one thousand eight hundred and ten. And it shall be the duty of the surveyor-general, or the person by him authorized to carry this act into effect, to select the two sections so as to extend the said town to the high lands in the rear of the town as it is now laid out.

Lots to be of-
fered for sale.

SEC. 2. *And be it further enacted,* That the lots in said town shall be offered for sale at the same time, and on the same terms and conditions as are provided by the sixth section of the before-recited act. (a)

(a) See Nos. 361, 376.

April 16, 1814.
Vol. 3, p. 125.

No. 336.—AN ACT confirming certain claims to land in the Illinois Territory, and providing for their location.

Certain claims
confirmed.

Be it enacted, &c., That the decisions made by the commissioners (appointed in pursuance of the act, entitled "An act for the revision of former confirmations, and for confirming certain claims to land in the district of Kaskaskia," passed the twentieth day of February, one thousand eight hundred and twelve) where such decisions were in favor of the claims, and where the commissioners have reported specially and have not rejected the claims; all such claims as entered in their report to the Secretary of the Treasury, bearing date the fourth day of January, one thousand eight hundred and thirteen, shall be and the same are hereby confirmed.

Claims trans-
mitted by Mi-
chael Jones con-
firmed.

SEC. 2. *And be it further enacted,* That all the claims contained in a list transmitted to the Secretary of the Treasury by Michael Jones, one of the commissioners aforesaid, bearing date the eighteenth day of January, one thousand eight hundred and thirteen, shall be and the same hereby are confirmed: *Provided,* That any person who may have received a militia right, shall not receive in addition thereto more than three hundred acres of land by virtue of this section; and it shall be the duty of the Commissioner of the General Land Office to enter the list aforesaid of record in his office: *And provided also,* That nothing in this act shall prevent or bar a judicial decision between persons claiming the same original title or claim.

Proviso.

Proviso.

Boundaries of
reservation to
satisfy unlocated
claims.

SEC. 3. *And be it further enacted,* That all that tract of land included within the following boundary, viz: Beginning at the township line nearest to and above the mouth of Big Muddy River, on the Mississippi River; thence east to the meridian line running from the mouth of the Ohio River, thence north with the said meridian line to the north boundary lines of township number five north; thence west to the Mississippi River, thence down the same to the beginning, shall be, and the same hereby is reserved and set apart to satisfy the unlocated claims of persons to land within the Illinois Territory confirmed to them heretofore or by this act. (a)

Actual settlers
entitled to pre-
emption.

SEC. 4. *And be it further enacted,* That any person or persons residing within the tract reserved by this act, and who had actually cultivated or improved any tract of land therein, before the fifth day of February, one thousand eight hundred and thirteen, not rightfully claimed by any other person, shall be entitled to a pre-emption in the purchase of such tract of land including the improvement; *Provided,* That the purchaser shall not enter less than one quarter-section or more than one section; and any person claiming a pre-emption in the purchase under this act, who may be the owner of any unlocated confirmed claim which may be located within the tract aforesaid, shall be and is hereby authorized to deliver to the receiver of public money for the district within which the land lies, the evidences of his or their claim, which shall be received as payment for the quantity of land such person or persons would have been entitled to locate by virtue thereof; and in all cases where the land purchased shall not be completely paid for by the evidences of confirmed claims, the residue of the land shall be paid for at the same price, in the same manner, un-

Proviso.

der the same restrictions, and liable to the same forfeiture, as other public lands sold at private sale.

SEC. 5. *And be it further enacted*, That it shall be the duty of the register of the land office for the district of Kaskaskia, to give notice that all persons entitled to a pre-emption in the purchase of any tract of land by virtue of this act, may make such purchase on application to him at his office on or before the first day of October next; and any person failing or refusing to enter with the register of the land office the land by such person improved, on or before the first day of October next, shall lose the right of pre-emption given by this act. (b)

Notice to be given by register of land office at Kaskaskia, that persons claiming pre-emption rights may come forward.

SEC. 6. *And be it further enacted*, That after the first day of October next, it shall be lawful for any person or persons being the owner of any unlocated confirmed claim, to enter with the register of the land office for the Kaskaskia district, any quantity of land within the reserved tract aforesaid, not exceeding one quarter-section more than the quantity of acres contained in his claim or claims, and to deliver to the receiver of public money the evidence of his claim, which shall be received in payment for the number of acres specified therein, and the residue of the land thus entered which may exceed the amount of confirmed claims thus paid in, shall be paid for at the same price and in like manner as the other public lands of the United States sold at private sale. And if two or more persons shall make applications at the same time to enter the same tract or tracts of land, the priority of right to enter shall be decided by lot in the presence of the register of the land office; and any person or persons failing or refusing to enter or locate his claim within the reserved tract aforesaid, according to the provisions of this act, on or before the first day of May, one thousand eight hundred and fifteen, shall forfeit all right or claim against the United States, derived from confirmations under this act or any former law.

After October 1, owners of unlocated confirmed claims to exhibit their claims, &c.

SEC. 7. *And be it further enacted*, That it shall be the duty of the register of the land office for the Kaskaskia district, to make out a certificate of confirmation to each person whose claim or claims are confirmed by this act, or by any former law, within the territory of Illinois; and such certificate shall specify the quantity of land confirmed to the holder thereof, and shall be sufficient evidence of claim, within the meaning of this act, to entitle the owner or holder thereof to a credit with the receiver of public moneys, for the quantity of land mentioned in such certificate, within the reserved tract aforesaid; and the register of the land office shall receive the sum of seventy-five cents from the person demanding and receiving such certificate.

Certificates to be given by register of land office for Kaskaskia district, &c.

SEC. 8. *And be it further enacted*, That patents shall be obtained for lands entered under this act, in the reserved tract aforesaid, in the same manner and on the same terms as are provided by law for other public lands of the United States.

Patents to be granted as for other lands.

(a) See Nos. 191, 324, 325, 327, 329, 331, 337, 338, 352, 438.

(b) See Nos. 328, 330, 332, 334, 337, 338, 339, 341, 351, 360, 370, 374, 389, 432, 433, 440.

NO. 337.—AN ACT to amend and extend the provisions of the act of the sixteenth of April, one thousand eight hundred and fourteen, entitled "An act confirming certain claims to land in the Illinois Territory, and providing for their location."

Feb. 27, 1815.
Vol. 3, p. 218.

Be it enacted &c., That the western boundary of the tract of country set apart by the act of the sixteenth of April, one thousand eight hundred and fourteen, entitled "An act confirming certain claims to land in the Illinois Territory, and providing for their location," be extended upon the river Mississippi, to the middle thereof, so as to include all islands in said river, between the middle and eastern margin, throughout the length of said line; and that all or any of the said islands shall be subject to be appropriated under the said recited act. (a)

Western boundary of the Illinois Territory to include all islands in the Mississippi, between the middle and eastern margin

SEC. 2. *And be it further enacted*, That the proviso contained in the fourth section of the before-recited act be repealed, so far as it regards persons settled on fractions of sections or quarter-sections containing less than one hundred and sixty acres; and that such persons under the like circumstances shall be considered as entitled to all the rights, benefits, and advantages, specified in the said fourth section, as those settled on sections or quarter-sections, and also, to any right, privilege, or advantage secured by this act: *Provided however*, That such persons

Proviso of a former act repealed so far as it regards settlers on fractions of sections, &c.

Proviso.

shall not be permitted in such cases to take less than the whole quantity of such fractional quarter-section on which they are respectively settled.

Settlers on lands reserved for the use of schools, entitled to the pre-emption of the like quantity of other land, on the same terms and within the proper boundary.

SEC. 3. *And be it further enacted*, That every person or persons, who settled on and improved any of the lands in the said Territory, reserved for the use of schools or seminaries of learning, (b) before the fifth day of February, one thousand eight hundred and thirteen, and who would have had the right of pre-emption thereto, had not the same been reserved as aforesaid, shall be entitled to the pre-emption of the like quantity of other land, upon the same terms, and under the same restrictions, provided by the fourth section of the said recited act, to be located on any lands within the boundary specified in this and the said recited act, not otherwise appropriated; and such persons shall also be entitled to the benefit of, and subject to, the restrictions contained in this act.

Persons who failed to locate their claims, entitled to pre-emption upon other unappropriated lands within the boundary.

SEC. 4. *And be it further enacted*, That all and every person or persons entitled to the pre-emption of lands, under the fourth section of the before-recited act, who failed to locate their claims within the time limited in said act, and which lands have been appropriated by others, shall be entitled to the pre-emption of the like quantity, as they could have appropriated under the said act, or under the provisions of this act, to be located on any land within the boundary specified in this and the said recited act, not previously appropriated.

Persons entitled to pre-emption to be governed by certain rules.

SEC. 5. *And be it further enacted*, That all and every person or persons, entitled to the pre-emption of lands under the provisions of this act, shall conform to and be governed by the rules prescribed in the said recited act, in locating, proving, and completing their titles respectively, except in cases where the same is changed by this act.

Public notice to be given that purchase may be made, &c.

SEC. 6. *And be it further enacted*, That it shall be the duty of the register of the land office for the district of Kaskaskia, to give notice by an advertisement inserted for one month in at least one newspaper published in the said Territory, to all persons entitled to a pre-emption in the purchase of any tract of land, by virtue of this or the before-recited act, that they may make such purchase, on application to him at his office, on or before the first day of May, in the year one thousand eight hundred and sixteen; and every person failing or refusing to enter with the said register, the land to which the right of pre-emption is so secured, notice being given as before mentioned, within the time aforesaid, shall lose his, her, or their right of pre-emption. (c)

Persons failing to enter lands with the register, lose their right.

Locations of any claim by authorized commissioners confirmed.

SEC. 7. *And be it further enacted*, That the locations of any confirmed claim, made by virtue of any authority given by the commissioners appointed to examine the claims of persons to land in the Illinois Territory, shall be, and the same are hereby confirmed: *Provided*, That the provisions of this section shall not be so construed as to extend to any locations made by any person or persons without any authority from the commissioners aforesaid; nor shall it affect the claims of any other person or persons. (d)

Proviso.

Commission on confirmed claims, to the commissioner of Kaskaskia.

SEC. 8. *And be it further enacted*, That the register and receiver of public moneys of the land office at Kaskaskia, shall be allowed the same commission respectively, on the confirmed claims which have been or shall be received in payment for land entered at the said office, as they are now entitled to, on moneys received in payment for lands sold, calculating the value of the confirmed claims at the rate of two dollars per acre.

Ann Gilham may locate any unappropriated quarter-section.

SEC. 9. *And be it further enacted*, That it shall be lawful for Ann Gilham to locate any unappropriated quarter-section within the Illinois Territory, and whenever the said Ann Gilham shall enter with the register of the land office at Kaskaskia, any unappropriated quarter-section, it shall be the duty of the register to issue to the said Ann Gilham, a certificate, specifying therein the quarter-section so located; and it shall be duty of the Commissioner of the General Land Office to issue a patent for the land so located, whenever the certificate aforesaid shall be presented to him for that purpose.

(a) See Nos. 326, 346, 347, 378, 394.

(b) See Nos. 338, 342, 346, 356, 408, 413, 418, 443, 444.

(c) See Nos. 328, 330, 332, 334, 336, 338, 339, 341, 351, 360, 370, 374, 389, 432, 433, 440.

(d) See Nos. 191, 324, 325, 327, 329, 331, 336, 338, 352, 438.

No. 338.—AN ACT making further provision for settling claims to land in the Territory of Illinois.

April 26, 1816.
Vol. 3, p. 307.

Be it enacted, &c., That every person, and the legal representatives of every person, who, before the fifth day of February, one thousand eight hundred and thirteen, settled on and improved any tract of land reserved for the use of schools or seminaries of learning, and who, had not the same been reserved, would have had the right of pre-emption within the tract of country set apart by the third section of the act of the sixteenth day of April, one thousand eight hundred and fourteen, entitled "An act confirming certain claims to land in the Illinois Territory, and providing for their location," to satisfy the unlocated claims to land in the said territory, shall be, and they hereby are authorized and allowed, until the first day of October, one thousand eight hundred and sixteen, to enter the same, for purchase, with the register and receiver of public moneys of the land office at Kaskaskia; and it shall be the duty of the register and receiver to enter the same for purchase, according to the provisions of this and the said recited act: *Provided,* That such person or persons shall not have entered, in right of pre-emption, other lands in lieu thereof, in virtue of the third section of an act to amend the aforesaid act, passed the twenty-seventh day of February, one thousand eight hundred and fifteen.

Further time allowed to certain settlers on the public lands of the United States for making good their pre-emption right.

SEC. 2. *And be it further enacted,* That the register and receiver of public money shall have power, and they are hereby authorized to select any other vacant and unappropriated lands within the tract set apart to satisfy confirmed claims as aforesaid, in lieu of such of the lands formerly reserved for a seminary of learning, and for the support of schools, as have been appropriated in satisfaction of ancient grants or confirmed improvement claims, or as shall be entered in right of pre-emption, according to the provisions of the preceding section of this act: *Provided,* That the lands thus to be selected shall be taken as near adjacent to those in lieu of which they are selected as an equal quantity of land of like quality can be obtained, and shall be reserved and appropriated for the same purpose. (a)

Register and receiver of public lands authorized to select other lands than those settled upon and reserved for the use of schools, &c., for satisfying the pre-emption. Proviso.

SEC. 3. *And be it further enacted,* That the provisions of the second section of an act passed the twenty-seventh day of February, one thousand eight hundred and fifteen, respecting the settlers on the fractional sections and quarter-sections within the aforesaid reserved tract, shall extend to all other settlers on the fractional section or quarter-sections within the Kaskaskia district.

Provisions of second section of act of 1815, to extend to settlers on a fractional section within the Kaskaskia district.

SEC. 4. *And be it further enacted,* That all the claims filed in the name of the original claimants, or their heirs, not exceeding four hundred acres, contained in a list transmitted to the Commissioner of the General Land Office, by Michael Jones, register, and S. Bond, receiver of public moneys of the land office of the district of Kaskaskia, bearing date the twenty-ninth day of March, one thousand eight hundred and fifteen, be, and they hereby are confirmed to the original claimants or their heirs: *Provided,* That the said claims, hereby confirmed, be, and they hereby are deemed and taken to be unlocated claims, and they shall not in any wise defeat or interfere with locations made in virtue of other authorized claims on lands improved by the said claimants or others.

Claims reported by Michael Jones, register, and S. Bond, receiver, confirmed.

Proviso.

SEC. 5. *And be it further enacted,* That the claimants whose claims are confirmed by virtue of the fourth section of this act, and all others lawfully holding confirmed unlocated claims for lands within the tract reserved by the before-recited act of the sixteenth day of April, one thousand eight hundred and fourteen, be allowed until the first day of October, one thousand eight hundred and sixteen, to register the same: and the said claims shall be receivable in payment for public lands, within the said reserved tract, conformably with the provisions of the last above-mentioned act, and of the present act, any time prior to the first day of October, one thousand eight hundred and sixteen. (b)

Further time allowed to claimants to register their claims.

SEC. 6. *And be it further enacted,* That all persons, or their legal representatives, entitled to the right of pre-emption of lands within the boundary specified in the before-recited act of the sixteenth day of April, one thousand eight hundred and fourteen, which lands have not been surveyed under the authority of the United States, shall be, and they hereby are allowed, a further time for making their entries with the register of the land office, until the lands upon which they have respectively settled and improved shall be surveyed by the United States, and until the expiration of six months next thereafter. (c)

Further time allowed for making entries with the register of land office.

Persons whose claims are perfected to receive certificates to that effect.

Fee of office to the register.

SEC. 7. *And be it further enacted,* That every person and the legal representative of every person, whose claim to a tract of land within the Illinois Territory is confirmed by this or any former act, and who has not previously obtained a patent for the same from the governor either of the territory northwest of the Ohio, or of the Indiana Territory, shall, whenever his claim shall have been located and surveyed, be entitled to receive from the register of the land office at Kaskaskia a certificate stating that the claimant is entitled to receive a patent for such tract of land by virtue of this act, for which certificate the register shall receive one dollar; and which certificate shall entitle the party to a patent for the said tract, which shall issue in like manner as is provided by law, for lands purchased of the United States.

(a) See Nos. 337, 342, 346, 356, 406, 413, 418, 443, 444.

(b) See Nos. 191, 324, 325, 327, 329, 331, 336, 337, 352, 438.

(c) See Nos. 328, 330, 332, 334, 336, 337, 339, 341, 351, 360, 370, 374, 389, 432, 433, 440.

April 29, 1816.
Vol. 3, p. 323.

No. 339.—AN ACT to establish a land district in Illinois Territory, north of district of Kaskaskia.

New land district created.

Be it enacted, &c., That so much of the public lands of the United States, heretofore included within the land district of Kaskaskia, and lying north of the base line in Illinois Territory, shall form a new land district, for the disposal of the said lands, and for which purpose a land office shall be established at Edwardsville, Madison County, under the direction of the register of the land office and receiver of public moneys to be appointed for that purpose, who shall reside at the place; give security in the same manner and in the same sums, and whose compensation, emoluments, duties and authority shall in every respect be the same in relation to the lands which shall be disposed of at their office, as are or may be by law provided in relation to the registers and receivers of public moneys in the several offices, established for the disposal of the lands of the United States, northwest of the river Ohio. (a)

Terms upon which lands are to be disposed of.

SEC. 2. *And be it further enacted,* That the said lands shall be disposed of in the same manner, and on the same terms and conditions, as are or may be provided by law for the sale of public lands, in the district of Kaskaskia, provided that no tract of land, excepted from the sale by virtue of any former act, shall be sold by virtue of this act. (b)

(a) See Nos. 196, 332, 350, 360, 363, 374, 383, 389, 449.

(b) See Nos. 328, 330, 332, 334, 336, 337, 338, 341, 351, 360, 370, 374, 389, 432, 433, 440.

April 29, 1816.
Vol. 3, p. 325.

No. 340.—AN ACT to provide for the appointment of a surveyor of the public lands in the Territories of Illinois and Missouri.

Surveyor of public lands in the Territories of Illinois and Missouri to be appointed; his duties.

Be it enacted, &c., That a surveyor of the lands of the United States in the Territories of Illinois and Missouri shall be appointed, whose duty it shall be to engage a sufficient number of skilful surveyors as his deputies, and to cause so much of the land above mentioned, as the President of the United States shall direct, and to which the titles of the Indian tribes have been extinguished, to be surveyed and divided in the manner, and to do and perform all such other acts in relation to such lands, as the surveyor-general is authorized and directed to do, in relation to the same, or the lands lying northwest of the river Ohio: and it shall also be the duty of the surveyor to cause to be surveyed the lands in the said Territories, the claims to which have been or hereafter may be confirmed by any act of Congress, which have not already been surveyed according to law: and generally to do and perform all and singular the duties required by law to be performed by the principal deputy surveyor for the Territory of Missouri; and shall transmit to the registers of the land offices within the said Territories, respectively, general and particular plats of all the lands surveyed, or to be surveyed, and shall also forward copies of said plats to the Commissioner of the General Land Office; fix the compensation of the deputy surveyors, chain-carriers, and axe-men. *Provided,* That the whole expense of surveying and marking the lines shall not exceed three dollars for every mile that shall be run, surveyed and marked.

Duties.

Proviso.

His compensation, annual, and fees of office.

SEC. 2. *And be it further enacted,* That the surveyor of the lands of the United States, appointed in pursuance of this act, shall be allowed an annual compensation of one thousand dollars, and shall be entitled to receive from individuals the following fees: that is to say, for recording

the surveys executed by any of the deputies, at the rate of twenty-five cents for every mile of the boundary line of such survey, and for a certified copy of a plat of a survey in his office twenty-five cents, and that all the plats of surveys, and all other papers and documents pertaining, or which did pertain to the office of the surveyor-general under the Spanish Government within the limits of the Territory of Missouri, or to the office of principal deputy surveyor for said Territory, or pertaining to the office of surveyor-general, or to any office heretofore established or authorized for the purpose of executing or recording surveys of lands within the limits of the Territories of Missouri and Illinois, shall be delivered to the surveyors of the lands of the United States, authorized to be appointed by this act; and any plat of survey duly certified by the said surveyor shall be admitted as evidence in any of the courts of the United States or Territories thereof. (a)

His plats and surveys made evidence.

SEC. 3. *And be it further enacted*, That so much of the act entitled "An act extending the powers of the surveyor-general to the Territory of Louisiana, and for other purposes," passed February twenty-eighth, one thousand eight hundred and six, as provides for the appointment of a principal deputy surveyor, and so much of any act of Congress here[to]-fore passed, as is repugnant to, or inconsistent with, any provision of this act, be, and the same is hereby repealed.

Part of the act of Feb. 28, 1800, repealed.

(a) See Nos. 328, 333, 342, 344, 370, 386.

NO. 341.—AN ACT concerning pre-emption rights given in the purchase of lands to certain settlers in the State of Louisiana, and in the Territory of Missouri and Illinois.

April 29, 1816.
Vol. 3, p. 330.

[See LOUISIANA, No. 729.]

NO. 342.—AN ACT to authorize the survey of two millions of acres of the public lands, in lieu of that quantity heretofore authorized to be surveyed, in the Territory of Michigan, as military bounty lands.

April 29, 1816.
Vol. 3, p. 332.

Be it enacted, &c., That so much of the "Act to provide for designating, surveying, and granting the military bounty lands," approved the sixth day of May, one thousand eight hundred and twelve, as authorizes the President of the United States to cause to be surveyed two millions of acres of the lands of the United States, in the Territory of Michigan, for the purpose of satisfying the bounties of land promised to the non-commissioned officers and soldiers of the United States, be, and the same is hereby repealed; and in lieu of the said two millions of acres of land, the President of the United States be, and he is hereby authorized to cause to be surveyed, of the lands of the United States fit for cultivation, not otherwise appropriated, and to which the Indian title is extinguished, one million five hundred thousand acres in the Illinois Territory, and five hundred thousand acres in the Missouri Territory, north of the river Missouri; the said lands shall be divided into townships, and subdivided into sections and quarter-sections, (each quarter-section to contain, as near as possible, one hundred and sixty acres,) in the manner prescribed by law for surveying and subdividing the other lands of the United States, (a) and the lands thus surveyed, with the exception of the salt springs (b) and lead mines (c) therein, and of the quantities of land adjacent thereto as may be reserved for the use of the same by the President of the United States, and the section number sixteen in every township, to be granted to the inhabitants of such township for the use of public schools, (d) shall, according to the provisions of the above-recited act, be set apart for the purpose of satisfying the bounties of land promised to the non-commissioned officers and soldiers of the late army of the United States, their heirs and legal representatives, by the act entitled "An act for completing the existing military establishment, approved the twenty-fourth day of December, one thousand eight hundred and eleven, and by the act, entitled "An act to raise an additional military force," approved the eleventh day of January, one thousand eight hundred and twelve.

Repeal of part of a former act.

SEC. 2. *And be it further enacted*, That every person in whose favour any warrant for military land bounty is issued, shall be, and is hereby authorized, to draw by lot one of the quarter-sections surveyed by virtue of this act, and shall obtain a patent therefor, in the same manner, in

Sections to be drawn by lot, and patents to be issued.

every respect, as is or shall be provided by law for patents to issue for other military land bounties, or as is provided by the act first above recited for patents to issue for such lands. (e)

(a) See Nos. 328, 333, 340, 341, 370, 386.

(b) See Nos. 346, 369, 375, 379, 426, 445.

(c) See No. 421.

(d) See Nos. 337, 338, 346, 356, 408, 413, 418, 443, 444.

(e) See Nos. 333, 343, 346, 353, 372, 407.

March 27, 1818. No. 343.—AN ACT extending the time for obtaining military land-warrants in certain cases.
Vol. 3, p. 411.

[See MICHIGAN, No. 461a.]

April 3, 1818. No. 344.—AN ACT allowing additional salary and clerk hire to the surveyor for the Illinois and Missouri Territories, and for others purposes.
Vol. 3, p. 412.

Surveyor of lands in Illinois and Missouri allowed \$2,000 per annum, in lieu, &c. *Be it enacted, &c.,* That the surveyor of the lands of the United States in the Territories of Illinois and Missouri, shall hereafter be allowed an annual compensation of two thousand dollars, in lieu of the compensation now fixed by law, and shall also be allowed three clerks, whose whole compensation shall not exceed two thousand dollars per annum. (a)

Three clerks, &c. SEC. 2. *And be it further enacted,* That the accounting officers of the Treasury Department be authorized to adjust and settle the accounts of William Rector, for his services as principal deputy surveyor, and surveyor of the Illinois and Missouri Territories, and to allow him, in addition to his salary as fixed by law, the following fees, that is to say: for examining and recording the surveys executed by any of his deputies, at the rate of twenty-five cents for every mile of the boundary line of the surveys executed under his direction in the offices aforesaid: *Provided,* The allowance shall not be made on the surveys of private

claims in any case where he has received, or is entitled to receive, similar fees from individuals. *Proviso:* no allowance where he has received similar fees from individuals. (a) See Nos. 328, 333, 340, 342, 370, 386.

April 3, 1818.
Vol. 6, p. 201.

No. 345.—AN ACT for the relief of John Small.

Land title confirmed.

Be it enacted, &c., That John Small be, and he hereby is, confirmed in his title to a tract of land, containing two hundred and fifty-five acres, situated on Embarrass Creek, in the Illinois Territory, as the assignee of Nicholas Bayarjon; which tract shall be limited to the quantity aforesaid, and to the boundaries as claimed by said Bayarjon.

April 18, 1818.
Vol. 3, p. 428.

No. 346.—AN ACT to enable the people of the Illinois Territory to form a constitution and State government, and for the admission of such State into the Union on an equal footing with the original States.

The inhabitants of Illinois authorized to form a constitution, &c.

The State to be admitted into the Union, &c.

Boundaries of the State.

Be it enacted, &c., That the inhabitants of the Territory of Illinois be, and they are hereby, authorized to form for themselves a constitution and State government, and to assume such name as they shall deem proper; and the said State, when formed, shall be admitted into the Union upon the same footing with the original States, in all respects whatever.

SEC. 2. *And be it further enacted,* That the said State shall consist of all the territory included within the following boundaries, to wit; Beginning at the mouth of the Wabash River; thence, up the same, and with the line of Indiana, to the northwest corner of said State; thence, east with the line of the same State, to the middle of Lake Michigan; thence, north along the middle of said lake, to north latitude forty-two degrees thirty minutes; thence, west to the middle of the Mississippi River; and thence, down along the middle of that river, to its confluence with the Ohio River; and thence, up the latter river, along its northwestern shore, to the beginning: *Provided,* That the convention hereinafter provided for, when formed, shall ratify the boundaries aforesaid; otherwise they shall be and remain as now prescribed by the ordinance for the government of the territory northwest of the river Ohio: *Provided also,* That the said State shall have concurrent jurisdiction with the State of Indiana on the Wabash River, so far as

Proviso: the convention to ratify the boundaries, or they will remain as by ordinance.

said river shall form a common boundary to both, and also concurrent jurisdiction on the Mississippi River, with any State or States to be formed west thereof, so far as said river shall form a common boundary to both. (a) Proviso: concurrent jurisdiction on the Wash.

SEC. 6. *And be it further enacted*, That the following propositions be and the same are hereby, offered to the convention of the said Territory of Illinois, when formed, for their free acceptance or rejection, which if accepted by the convention, shall be obligatory upon the United States and the said State. And also on the Mississippi. Propositions offered to the convention of Illinois.

First. That section numbered sixteen, in every township, and, when said section has been sold or otherwise disposed of, other lands equivalent thereto, and as contiguous as may be, shall be granted to the State, for the use of the inhabitants of such township, for the use of schools. (b) Section No. 16, in every township, &c., for schools.

Second. That all salt springs within such State, and the land reserved for the use of the same, shall be granted to the said State, for the use of the said State, and the same to be used under such terms, and conditions, and regulations, as the legislature of the said State shall direct: *Provided*, The legislature shall never sell nor lease the same for a longer period than ten years, at any one time. (c) Salt springs and land reserved, &c., granted to the State, &c. Proviso.

Third. That five per cent. of the net proceeds of the lands lying within such State, and which shall be sold by Congress, from and after the first day of January, one thousand eight hundred and nineteen, after deducting all expenses incident to the same, shall be reserved for the purposes following, viz: two-fifths to be disbursed, under the direction of Congress, in making roads leading to the State; the residue to be appropriated, by the legislature of the State, for the encouragement of learning, of which one-sixth part shall be exclusively bestowed on a college or university. (d) Five per cent. net proceeds of sales of public lands within the State reserved. Two-fifths for roads. The residue to encourage learning, &c.

Fourth. That thirty-six sections, or one entire township, which shall be designated by the President of the United States, together with the one heretofore reserved for that purpose, shall be reserved for the use of a seminary of learning, and vested in the legislature of the said State, to be appropriated solely to the use of such seminary by the said legislature. (e) *Provided always*, That the four foregoing propositions, herein offered, are on the conditions that the convention of the said State shall provide, by an ordinance irrevocable without the consent of the United States, that every and each tract of land sold by the United States, from and after the first day of January, one thousand eight hundred and nineteen, shall remain exempt from any tax laid by order, or under any authority of, the State, whether for State, county, or township, or any other purpose whatever, for the term of five years from and after the day of sale: (f) *And further*, That the bounty lands granted, or hereafter to be granted, for military services during the late war, shall, while they continue to be held by the patentees, or their heirs, remain exempt, as aforesaid, from all taxes, for the term of three years, from and after the date of the patents respectively: and that all the lands belonging to the citizens of the United States, residing without the said State, shall never be taxed higher than lands belonging to persons residing therein. (g) Thirty-six sections to be for the use of a seminary of learning. Proviso. Lands sold by the United States shall be free from taxes for five years. And military bounty lands while held by the patentees or their heirs to be free from taxes for three years. Non-resident citizens' lands not to be taxed higher than those of residents.

(a) See Nos. 326, 337, 347, 378, 394.

(b) See Nos. 337, 338, 342, 356, 408, 413, 418, 443, 444.

(c) See Nos. 342, 369, 375, 379, 426, 445.

(d) See Nos. 355, 373.

(e) See No. 377.

(f) See No. 169.

(g) See No. 425.

No. 347.—RESOLUTION declaring the admission of the State of Illinois into the Union.

Dec. 3, 1818.
Vol. 3, p. 536.

Resolved, &c., That, whereas, in pursuance of an act of Congress, passed on the eighteenth day of April, one thousand eight hundred and eighteen, entitled "An act to enable the people of the Illinois Territory to form a constitution and State government, and for the admission of such State into the Union, on an equal footing with the original States," the people of said Territory did, on the twenty-sixth day of August, in the present year, by a convention called for that purpose, form for themselves a constitution and State government, which constitution and State government, so formed, is republican, and in conformity to the principles of the articles of compact between the original States and the people and States in the territory northwest of the river Ohio, passed on the thirteenth day of July, one thousand seven hundred and

Preamble.

Illinois a State of the Union, on an equal footing. eighty-seven: *Resolved, &c.*, That the State of Illinois shall be one, and is hereby declared to be one, of the United States of America, and admitted into the Union on an equal footing with the original States, in all respects whatever. (a)

(a) See Nos. 326, 337, 346, 378, 394.

March 3, 1819.
Vol. 3, p. 525.

No. 348.—AN ACT granting a donation of land to the State of Illinois, for the seat of government of said State.

Four sections granted to Illinois for a seat of government.

To be selected as provided, &c. Proviso.

Be it enacted, &c., That there shall be granted to the State of Illinois four sections of land, or contiguous quarter-sections and fractions, not exceeding the quantity contained in four entire sections, for the purpose of fixing thereon the seat of government for the said State; which lands shall be selected in the manner provided by the thirtieth section of the schedule to the constitution of the said State: *Provided*, That such selection shall be made before the public sale of the adjoining public lands shall have taken place. (a)

(a) See No. 356.

May 1, 1820.
Vol. 6, p. 242.

No. 349.—AN ACT confirming the proceedings of the inhabitants of the village of Cahokia, in the State of Illinois, in laying out a town on the commons of said village.

Proceedings of inhabitants of Cahokia, in laying out Illinois City and distributing lots, confirmed.

J. B. Thomas and others authorized to convey the lots distributed by deed in fee-simple.

Be it enacted, &c., That the proceedings of the inhabitants of the village of Cahokia, in the State of Illinois, by their agents, Jesse B. Thomas, John Hay, John Hays, Nicholas Jarrot, and Francis Turcotte, in laying out a town called Illinois City, on one of the tracts of land confirmed to them as a common, by an act of Congress, passed on the twentieth February, one thousand eight hundred and twelve, and the distribution made by the said agents, of the lots amongst the inhabitants of said village of Cahokia, be, and the same are hereby, confirmed.

SEC. 2. *And be it further enacted*, That the said Jesse B. Thomas, John Hay, John Hays, Nicholas Jarrot, and Francis Turcotte, or any three of them be, and they are hereby, authorized to convey, by deed, in fee-simple, the lots that have heretofore been distributed as aforesaid, to those persons, or their legal representatives, to whom distribution as aforesaid was made.

May 11, 1820.
Vol. 3, p. 571.

No. 350.—AN ACT to establish additional land offices in the States of Alabama and Illinois.

[See ALABAMA, No. 1456.]

May 11, 1820.
Vol. 3, p. 573.

No. 351.—AN ACT for the relief of certain settlers in the State of Illinois who reside within the Vincennes land district.

Persons who would have been entitled to right of pre-emption, to be entitled to certificate for the excess paid above \$2 per acre, &c.

Certificate receivable in payment of debt to United States for land. Proviso.

Persons who would have been entitled, &c., who were not purchasers, allowed till Sept. 1, 1820, to prove, &c.

Be it enacted, &c., That every person, who would have been entitled to the right of pre-emption, according to the provisions of the act, entitled "An act giving the right of pre-emption in the purchase of lands to certain settlers in the Illinois Territory," passed February the fifth, one thousand eight hundred and thirteen, provided said act had been so construed as to embrace those who were living within the limits of the Vincennes land district, and who became the purchaser, at public sale, of the said land, to which the right of pre-emption would have so attached, at more than two dollars per acre, shall be entitled to a certificate for the amount, so paid or to be paid, exceeding two dollars per acre, from the register of the land office at Vincennes; which certificate shall be receivable in payment of any debt due to the United States on account of the sale of public land: *Provided, however*, That it shall be the duty of every person claiming the benefit of this act, to prove, to the satisfaction of the register and receiver of the land office at Vincennes, that they are entitled thereto, according to its true intent and meaning.

SEC. 2. *And be it further enacted*, That every person who would have been entitled to the right of pre-emption in the said Vincennes district, according to the provisions of the said recited act, passed the fifth day of February, eighteen hundred and thirteen, had it been so construed as to embrace them, and who did not become the purchaser of any tract

of land to which such right of pre-emption would have attached, shall be allowed till the first day of September next, to prove, to the satisfaction of the register and receiver at Vincennes, that they would have been so entitled; and it shall be the duty of the register, when the satisfaction aforesaid shall be made, to grant a certificate to every such person, or their legal representatives, stating therein that such person would have been entitled to such right of pre-emption, and that he did not become the purchaser thereof, neither at public nor private sale. And every such person, or his legal representatives, shall, upon producing such certificate to the register of any land office in the State of Illinois, be allowed to enter one quarter-section of land, each, at the minimum price fixed by the United States, of any land which may be surveyed previous to the first day of September next, whether the same shall have been offered at public sale or not. (a)

Register, on satisfaction, to grant a certificate, &c.

Every person, upon certificate allowed to enter a quarter-section, at minimum price, &c.

(a) See Nos. 328, 330, 332, 334, 336, 337, 338, 339, 341, 360, 370, 374, 389, 432, 433, 440.

No. 352.—AN ACT for the relief of persons holding confirmed unlocated claims for lands in the State of Illinois.

May 15, 1820.
Vol. 3, p. 601.

Be it enacted, &c., That all persons lawfully holding confirmed unlocated claims for land within the tract reserved by the third section of the act, entitled "An act confirming certain claims to land in the Illinois Territory and providing for their location," passed the sixteenth day of April, in the year one thousand eight hundred and fourteen, be allowed until the first day of November, one thousand eight hundred and twenty, to register the same; and the said claims shall be receivable in payment for public lands within the said reserved tract, conformably with the provisions of the said act, and of the act entitled "An act making further provision for settling claims to land in the Territory of Illinois," passed the twenty-sixth day of April, one thousand eight hundred and sixteen, at any time before the first day of November, one thousand eight hundred and twenty. (a)

Persons holding confirmed unlocated claims for land within the tract reserved by act of April 16, 1814.

Claims to be receivable, &c.

(a) See Nos. 191, 324, 325, 327, 329, 331, 336, 337, 338, 438.

No. 353.—AN ACT to authorize the governor of Illinois to obtain certain abstracts of lands from certain public offices.

May 15, 1820.
Vol. 3, p. 602.

Be it enacted, &c., That it shall be the duty of the register of the United States' land office at Vincennes, in the State of Indiana, to furnish to the governor of the State of Illinois, when he shall apply for the same, a complete abstract of all the lands which have been purchased at that office, or which may hereafter be purchased, which lie within the State of Illinois, designating the name of each purchaser, and the time of making the purchase; for which he shall be entitled to receive, from such applicant, at the rate of ten cents for each separate entry, a copy whereof is required; *Provided, however,* That all the expense incurred by virtue of this act, shall be defrayed by said State.

The register of the land office at Vincennes to furnish a complete abstract of lands purchased and lying in Illinois, &c.

Ten cents to the register for each entry.

Proviso.

SEC. 2. *And be it further enacted,* That it shall be the duty of the Secretary of the Treasury, upon the application of the governor of said State, to cause a complete abstract to be made out, for the use of said State, of all the military bounty lands which have been patented to the soldiers of the late army, lying within the same, designating the name of each patentee. (a)

Secretary of the Treasury to cause a complete abstract to be made out, of military bounty lands patented to soldiers, lying in Illinois.

(a) See Nos. 333, 342, 343, 346, 372, 407.

No. 354.—AN ACT for the relief of the inhabitants of the village of Peoria, in the State of Illinois.

May 15, 1820.
Vol. 3, p. 605.

Be it enacted, &c., That every person, or the legal representatives of every person, who claims a lot or lots in the village of Peoria, in the State of Illinois, shall, on or before the first day of October next, deliver to the register of the land office, for the district of Edwardsville, a notice, in writing, of his or her claim; and it shall be the duty of the said register to make to the Secretary of the Treasury a report of all claims filed with the said register, with the substance of the evidence in support thereof; and also his opinion and such remarks respecting the claims as he may think proper to make; which report, together

Persons claiming lots in Peoria to deliver notice in writing to the register at Edwardsville, before Oct. 1, 1820.

Register to report to Secretary of the Treasury.

Report, &c., to with a list of the claims which, in the opinion of the said register, ought be laid before to be confirmed, shall be laid by the Secretary of the Treasury before Congress. Congress for their determination. And the said register shall be allowed twenty-five cents for each claim on which a decision shall be made, whether such decision shall be in favour or against the claims; which allowance shall be in full for his services under this act. (a)

(a) See No. 362.

Dec. 12, 1820.
Vol. 3, p. 610.

No. 355.—AN ACT to provide for paying to the State of Illinois three per cent. of the net proceeds arising from the sale of the public lands within the same.

The Secretary of the Treasury to pay three per cent. of the net proceeds of public lands sold in Illinois after 1st Jan., 1819, to the agent of the State.

To be applied for the encouragement of learning.

Annual account of the application of the moneys to be transmitted to the Secretary of the Treasury, or payment may be withheld.

Be it enacted, &c., That the Secretary of the Treasury shall, from time to time, and whenever the quarterly accounts of public moneys of the several land offices shall be settled, pay three per cent. of the net proceeds of the lands of the United States, lying within the State of Illinois, which, since the first day of January, one thousand eight hundred and nineteen, have been, or hereafter may be, sold by the United States, after deducting all expenses incidental to the same, to such person or persons as may be authorized by the legislature of the said State to receive the same; which sums, thus paid, shall be applied to the encouragement of learning within said State, in conformity to the provisions on this subject, contained in the act, entitled "An act to enable the people of the Illinois Territory to form a constitution and State government, and for the admission of such State into the Union on an equal footing with the original States," approved April eighteenth, one thousand eight hundred and eighteen, and to no other purpose; and an annual account of the application of the same shall be transmitted to the Secretary of the Treasury, by such officer of the State as the legislature thereof shall direct; and in default of such return being made, the Secretary of the Treasury is hereby required to withhold the payment of any sums that may then be due, or which may thereafter become due, until a return shall be made, as herein required. (a)

(a) See Nos. 346, 373.

March 2, 1821.
Vol. 3, p. 618.

No. 356.—AN ACT confirming the location of the seat of government of the State of Illinois, and for other purposes.

Four sections of land, &c., selected by commissioners for the seat of government of Illinois, confirmed to the State.

The governor authorized to select a section in lieu of No. 16.

Be it enacted, &c., That the four sections of land, including the section number sixteen, in township number six north, range number one east, of the third principal meridian, heretofore selected by commissioners appointed for that purpose, for the seat of government of the State of Illinois, be, and the same are hereby declared to be confirmed to, and vested in, the said State, for the purpose aforesaid. (a)

SEC. 2. *And be it further enacted,* That the governor of said State be, and he is hereby, authorized to select any unappropriated section in said township, for the use of the inhabitants thereof, which shall be in lieu of the said sixteenth section. (b)

(a) See No. 348.

(b) See Nos. 337, 338, 342, 346, 408, 413, 418, 443, 444.

March 2, 1821.
Vol. 6, p. 258.

No. 357.—AN ACT for the relief of Nicholas Jarrott.

Authorized to enter 400 acres within the Vandalia district.

A surrender of certificate of confirmation, &c., will be received in payment.

Proviso.

Be it enacted, &c., That Nicholas Jarrott, the legal representative of Francois Arcoit, or the legal representative of him, the said Nicholas, be, and he is hereby, authorized to locate four hundred acres, consisting of one entire half-section, and one-half quarter-section, adjoining thereto, and in the same section, of any of the public land within the Vandalia district, established for the sale of the public lands in the State of Illinois, which may be already surveyed, and which, having been offered for sale previous to the first day of January, one thousand eight hundred and twenty-one, shall remain unsold; and in payment therefor the said Nicholas Jarrott, or his legal representatives, shall be, and he is hereby, authorized to surrender his certificate of confirmation, as the legal representative of the said Francois Arcoit, for four hundred acres of land, in the said State, which was confirmed by act of Congress, bearing date the sixteenth day of April, one thousand eight hundred and fourteen: *Provided,* The same be not located on town sites and lots, or lands reserved by the United States: *And provided further,* That the said location be made before the first day of April, one thousand eight hundred and twenty-two.

No. 358.—AN ACT to authorize the State of Illinois to open a canal through the public lands, to connect the Illinois River with Lake Michigan.

March 30, 1822.
Vol. 3, p. 659.

Be it enacted, &c., That the State of Illinois be, and is hereby, authorized to survey and mark, through the public lands of the United States, the route of the canal connecting the Illinois River with the southern bend of Lake Michigan; and ninety feet of land on each side of said canal shall be forever reserved from any sale to be made by the United States, except in the cases hereinafter provided for, and the use thereof for ever shall be, and the same is hereby, vested in the said State for a canal, and for no other purpose whatever; on condition, however, that if the said State does not survey and direct by law said canal to be opened, and return a complete map thereof to the Treasury Department, within three years from and after the passing of this act; or if the said canal be not completed, suitable for navigation, within twelve years thereafter; or if said ground shall ever cease to be occupied by, and used for, a canal, suitable for navigation; the reservation and grant hereby made shall be void and of none effect: *Provided always, and it is hereby enacted and declared,* That nothing in this act contained, or that shall be done in pursuance thereof, shall be deemed or construed to impose any obligation on the part of the United States to appropriate any money to defray the expenses of surveying or opening said canal: *Provided also, and it is hereby further enacted and declared,* That the said canal, when completed, shall be, and for ever remain, a public highway for the use of the Government of the United States, free from any toll or other charge whatever, for any property of the United States, or persons in their service, passing through the same.

Illinois authorized to survey and mark through public lands the route of a canal, connecting Illinois River with the southern bend of Lake Michigan, and 90 feet on each side reserved and vested in the State for a canal on condition, &c.

Proviso: no obligation on the part of the United States to appropriate money, &c.

Proviso: canal always a public highway, free of toll to the United States.

SEC. 2. *And be it further enacted,* That every section of land through which said canal route may pass, shall be, and the same is hereby, reserved from future sale, until hereafter specially directed by law: and the said State is hereby authorized and permitted, without waste, to use any materials on the public lands adjacent to said canal, that may be necessary for its construction. (a)

Sections through which the canal passes reserved until, &c.

The State may use necessary adjacent materials without waste.

(a) See Nos. 367, 385, 417, 435.

No. 359.—AN ACT for the relief of James M'Farland.

April 26, 1822.
Vol. 6, p. 266.

Be it enacted, &c., That the receiver of public moneys of the land office at Shawneetown, in the State of Illinois, be, and he is hereby, directed to place to the credit of James M'Farland, or the legal proprietor of fractional sections numbered twenty-six and twenty-seven, in township numbered twelve south, range eight east, of the third principal meridian, purchased at the public sales by the said James M'Farland, on account of the money heretofore paid by him on said fractional sections, the excess over and above the rate of two dollars per acre, upon four hundred and eighty acres thereof, and to remit any interest due, or that may become due, on said excess; and the said James M'Farland, or the legal proprietor as aforesaid, shall be allowed until the thirtieth day of September next to avail themselves of the provisions of the act, entitled "An act for the relief of the purchasers of the public lands prior to the first day of July, one thousand eight hundred and twenty," approved March second, one thousand eight hundred and twenty-one: *Provided,* That if the said James M'Farland, or the legal proprietor of the aforesaid fractional sections, accept a credit, that the excess aforesaid shall be placed to his or their credit on the instalments which shall become due at the time they would have been due had his or their acceptance been filed before the thirtieth day of September last, but shall not entitle him or them to a discount for payment on or before the thirtieth of September next: *Provided, however,* That the said James M'Farland shall not be entitled to the remission aforesaid, upon a greater quantity than one hundred and sixty acres, unless he shall make it appear, to the satisfaction of the receiver aforesaid, that Hampton Pankey and William Frizzle, or their legal representatives, for whose benefit, jointly with the said James M'Farland, the aforesaid land was purchased, have received a release from the said James M'Farland, for such proportion of the purchase money as will be equal to the amount hereby remitted upon their proportion of the said land: *Provided, also,* That the benefits of this act shall be extended only to such of the aforesaid persons as shall show to the register and receiver aforesaid, that he would have been entitled to the right of pre-emption had he been settled on a quarter-section instead of a fractional section, according to the provision of the act of eighteen hundred and thirteen.

The receiver of the land office at Shawneetown to place to the credit of J. M'Farland the excess above \$2 per acre on 480 acres, on account of money paid, &c., and to remit the interest.

Allowed until Sept. 30, 1822, to avail himself of the provisions of the act of March 2, 1821.

Proviso

Proviso.

Proviso.

May 8, 1822.
Vol. 3, p. 700.

No. 360.—AN ACT to establish an additional land office in the State of Illinois.

So much of the public lands within the bounds described, in Illinois, to form a land district, &c.

A land office as the President may designate.

A register and receiver for the land office, &c., to reside at the place established, give security, &c.

Proviso.

The provisions of the second, third, and fifth sections of the act of March 3, 1819, and of April 24, 1820, made applicable, &c.

Be it enacted, &c., That so much of the public lands of the United States as lies east of the Mississippi River, north of the line separating the thirteenth and fourteenth tiers of townships north of the base line, and west of the third principal meridian, in the State of Illinois, shall form a land district, for the disposal of the said lands, and for which purpose a land office shall be established at such place therein as the President of the United States shall designate, until the same shall be permanently fixed by law. (a)

SEC. 2. *And be it further enacted,* That there shall be a register and receiver appointed to the said land office, to superintend the sales of the public lands in the said district, who shall reside at the place where the said office shall be established as aforesaid, give security in the same manner, in the same sums, and whose compensation, emoluments, and duties, and authority, shall, in every respect, be the same in relation to the lands which shall be disposed of at their offices, as are or may be by law, provided in relation to the registers and receivers of public moneys in the several offices established for the sale of the public lands: *Provided,* That the said appointments shall not be made until a sufficient quantity of public lands shall have been surveyed within the said district to authorize, in the opinion of the President, a public sale of lands within the same. (b)

SEC. 3. *And be it further enacted,* That the provisions of the second, third, and fifth, sections of the act, entitled "An act to designate the boundaries of districts, and establish land offices, for the disposal of the public lands not heretofore offered for sale in the States of Ohio and Indiana," approved March third, eighteen hundred and nineteen, and the act, entitled "An act making further provision for the sale of the public lands," approved April twenty-fourth, eighteen hundred and twenty, be, and the same are hereby, made applicable to the said district and office, so far as they are not changed by subsequent laws of the United States.

(a) See Nos. 196, 332, 339, 350, 363, 374, 383, 389, 449.

(b) See Nos. 328, 330, 332, 334, 336, 337, 338, 339, 341, 351, 370, 374, 389, 432, 433, 440.

March 3, 1823.
Vol. 3, p. 778.

No. 361.—AN ACT to authorize the Secretary of the Treasury to remit the instalments due on certain lots in Shawneetown, in the State of Illinois.

Instalments due on certain lots in Shawneetown remitted.

Be it enacted, &c., That the Secretary of the Treasury be, and he is hereby, authorized and directed to remit the instalments due, and to become due, on lots numbered eleven hundred and thirteen and eleven hundred and fourteen, in Shawneetown, in the State of Illinois, and a patent or patents shall issue for the same, as in other cases; which said lots are used as a public square. (a)

(a) See Nos. 335, 376.

March 3, 1823.
Vol. 3, p. 786.

No. 362.—AN ACT to confirm certain claims to lots [lots] in the village of Peoria, in the State of Illinois.

Certain claims to lots in the village of Peoria confirmed.

Be it enacted, &c., That there is hereby granted, to each of the French and Canadian inhabitants and other settlers in the village of Peoria, in the State of Illinois, whose claims are contained in a report made by the register of the land office at Edwardsville, in pursuance of the act of Congress, approved May the fifteenth, one thousand eight hundred and twenty, and who had settled a lot in the village aforesaid, prior to the first day of January, one thousand eight hundred and thirteen, and who have not heretofore received a confirmation of claims, or donation of any tract of land or village lot from the United States, the lot so settled upon and improved, where the same shall not exceed two acres, and where the same shall exceed two acres, every such claimant shall be confirmed in a quantity not exceeding ten acres: *Provided,* Nothing in this act contained shall be so construed as to affect the right, if any such there be, of any other person or persons to the said lots, or any part of them derived from the United States, or any other source whatever, or as a pledge on the part of the United [States,] to make good any deficiency occasioned by any other interfering claim or claims.

Proviso.

SEC. 2. *And be it further enacted,* That it shall be the duty of the surveyor of the public lands of the United States for that district, to cause a survey to be made of the several lots, and to designate on a plat thereof the lot confirmed and set apart to each claimant, and forward the same to the Secretary of the Treasury, who shall cause patents to be issued in favour of such claimants, as in other cases. (a)

(a) See No. 354.

No. 363.—AN ACT to define the boundary line between the Edwardsville and Springfield land districts, in the State of Illinois.

March 16, 1824.
Vol. 4, p. 10.

Be it enacted, &c., That all that tract of country lying between the Illinois and Mississippi rivers, and south of the base line of the military surveys, be, and the same is hereby, attached to, and made a part of, the land district, the office of which is located at Edwardsville; and all that tract of country lying between the said rivers, and north of the said base line, be, and the same is hereby, attached to, and made a part of, the land district, the office of which is established at Springfield, in the county of Sangamo. (a)

(a) See Nos. 196, 332, 339, 350, 360, 374, 333, 389, 449.

No. 364.—AN ACT concerning the seat of justice in Gallatin County in the State of Illinois.

May 20, 1826.
Vol. 4, p. 184.

Be it enacted, &c., That the State of Illinois is hereby authorized to give or sell, in fee-simple, to the county of Gallatin, in that State, for the purposes of locating and fixing the seat of justice in said county, a tract not exceeding one hundred acres of the tract of land, situate in said county, and granted to said State, for the use thereof, by the act of the eighteenth of April, eighteen hundred and eighteen, entitled "An act to enable the people of the Illinois Territory to form a constitution and State government, and for the admission of such State into the Union, on an equal footing with the original States," any restriction in said act of Congress to the contrary notwithstanding.

No. 365.—AN ACT for the relief of William Biggs.

May 22, 1826.
Vol. 6, p. 353.

Be it enacted &c., That William Biggs, of the State of Illinois, be, and he is hereby, authorized to enter three sections of land, in quarter-sections, of the lands subject to entry at private sale in the Sangamon district, in Illinois, in consideration of his services as lieutenant in the regiment of the late General George Rogers Clark, which marched against, and subdued the posts of Kaskaskias and Vincennes.

No. 366.—AN ACT for the relief of Phinehas Underwood, and for other purposes.

May 22, 1826.
Vol. 6, p. 355.

Be it enacted &c., That Phinehas Underwood be, and he is hereby, authorized to enter with the proper register, any unlocated quarter-section of land in the State of Illinois, within one year after the passage of this act, and shall be entitled to a patent therefor, as in other cases: *Provided,* That such quarter-section shall have been previously offered at public sale: *And provided, also,* He shall, prior to making such location, surrender to the Commissioner of the General Land Office, a patent which issued to Eli B. Mott, on the thirty-first of August, one thousand eight hundred and eighteen, for the northwest quarter of section twenty-two, of township six north, in range eight west, of the Illinois bounty lands.

Authorized to enter three sections of land in Illinois.
May enter an unlocated quarter-section in Illinois.
Proviso.
Proviso.

* * * * *

March 2, 1827.
Vol. 4, p. 234.

No. 367.—AN ACT to grant a quantity of land to the State of Illinois, for the purpose of aiding in opening a canal to connect the waters of the Illinois River with those of Lake Michigan.

A certain quantity of land to be allowed for opening a canal to unite the waters of the Illinois River with those of Lake Michigan.

Proviso.

Proviso.

Duty of the governor of the State, when the canal is located, &c.

Power given to the legislature.

Be it enacted, &c., That there be, and hereby is, granted to the State of Illinois, for the purpose of aiding the said State in opening a canal to unite the waters of the Illinois River with those of Lake Michigan, a quantity of land equal to one-half of five sections in width, on each side of said canal, and reserving each alternate section to the United States, to be selected by the Commissioner of the Land Office, under the direction of the President of the United States, from one end of the said canal to the other; and the said lands shall be subject to the disposal of the legislature of the said State, for the purpose aforesaid, and no other: *Provided*, That the said canal, when completed, shall be and forever remain, a public highway for the use of the Government of the United States, free from any toll, or other charge, whatever, for any property of the United States, or persons in their service, passing through the same: *Provided*, That said canal shall be commenced within five years, and completed in twenty years, or the State shall be bound to pay to the United States the amount of any lands previously sold, and that the title to purchasers under the State shall be valid.

SEC. 2. *And be it further enacted*, That, so soon as the route of the said canal shall be located and agreed on by the said State, it shall be the duty of the governor thereof, or such other person or persons as may have been, or shall hereafter be, authorized to superintend the construction of said canal, to examine and ascertain the particular sections to which the said State will be entitled, under the provisions of this act, and report the same to the Secretary of the Treasury of the United States.

SEC. 3. *And be it further enacted*, That the said State, under the authority of the legislature thereof, after the selection shall have been so made, shall have power to sell and convey the whole, or any part of the said land, and to give a title in fee-simple therefor, to whomsoever shall purchase the whole, or any part thereof. (a)

(a) See Nos. 358, 385, 417, 435.

March 3, 1827.
Vol. 6, p. 366.

No. 368.—AN ACT for the relief of the legal representative of Giles Egerton.

May enter a certain quarter-section of land in Illinois.

Be it enacted, &c., That the legal representative or assignee of Giles Egerton, late a sergeant in Cotton's company of the twenty-sixth regiment of infantry, be, and he or they is or are hereby, authorized to enter with the register of the proper land office, any unappropriated quarter-section of land in the tract reserved for the satisfaction of military bounties, in the State of Illinois, in lieu of the quarter patented to the said Giles, on the tenth day of January, one thousand eight hundred and eighteen, which had been previously patented to James Durney; and upon such entry a patent shall issue to such representative or assignee, for the quarter-section so selected.

May 24, 1828.
Vol. 4, p. 305.

No. 369.—AN ACT to authorize the legislature of the State of Illinois to sell and convey a part of the land reserved and granted to said State for the use of the Ohio saline.

Legislature of the State of Illinois authorized, &c., to cause to be sold, &c., a part or parts of the tract of land reserved and granted to said State for the use of salt works.

Proviso.

Be it enacted, &c., That the legislature of the State of Illinois shall be, and is hereby, authorized and empowered to cause to be sold and conveyed in such manner, and on such terms and conditions, as said legislature shall by law direct, such part or parts of the tract of land reserved and granted to said State, for the use and support of the salt works, known by the name of the Ohio saline, in the county of Gallatin, in the said State, and to apply the proceeds of such sale to such objects as the said legislature may by law hereafter direct: *Provided*, That the legislature shall not sell and convey more than thirty thousand acres of the land reserved and granted for the use of the saline aforesaid. (a)

(a) See Nos. 342, 346, 375, 379, 426, 445.

No. 370.—AN ACT authorizing the laying off a town on Bean River, in the State of Illinois, and for other purposes.

Feb. 5, 1829.
Vol. 4, p. 334.

Be it enacted, &c., That a tract of land in the State of Illinois, at and including "Galena," on Bean River, shall, under the direction of the surveyor of the public lands for the States of Illinois and Missouri, and the Territory of Arkansas, be laid off into town lots, streets, and avenues, and into out-lots, having regard to the lots and streets already surveyed, in such manner, and of such dimensions, as he may think proper: *Provided*, The tract so to be laid off shall not exceed the quantity contained in one entire section, nor the town lots one quarter of an acre each, nor shall the out-lots exceed the quantity of two acres each. (a) When the survey of the lots shall be completed, a plat thereof shall be returned to the Secretary of the Treasury, and within twelve months thereafter the lots shall be offered to the highest bidder at public sale, under the direction of the President of the United States, and at such other times as he shall think proper: *Provided*, That no town lot shall be sold for a sum less than five dollars; *And provided further*, That a quantity of ground of proper width on the said river, and running therewith the whole length of the said town, shall be reserved from sale for public use, and remain forever a common highway. (b)

Town to be laid off at Galena, in Illinois.

Size of town and of lots.

Lots to be offered to highest bidder.

Minimum price Reservation along margin of river.

SEC. 2. *Be it further enacted*, That it shall be the duty of the said surveyor to class the lots already surveyed, in the said town of Galena, into three classes, according to the relative value thereof, on account of situation and eligibility for business, without regard, however, to the improvements made thereon; and previous to the sale of the said lots as aforesaid, each and every person, or his, her, or their legal representative or representatives, who shall heretofore have obtained from the agent of the United States a permit to occupy any lot or lots in the said town of Galena, or who shall have actually occupied and improved any lot or lots in the said town, or within the tract of land hereby authorized to be laid off into lots, shall be permitted to purchase such lot or lots, by paying therefor, in cash, if the same fall within the first class, as aforesaid, at the rate of twenty-five dollars per acre; if within the second class, at the rate of fifteen dollars per acre; and if within the third class, at the rate of ten dollars per acre: *Provided*, That no one of the persons aforesaid shall be permitted to purchase by authority of this section more than one-half acre of ground; unless a larger quantity shall be necessary to embrace permanent improvements already made. (c)

Lots to be classified.

Right of pre-emption.

(a) See Nos. 328, 333, 340, 342, 344, 386.

(b) See Nos. 328, 330, 332, 334, 336, 337, 338, 339, 341, 351, 360, 374, 389, 432, 433, 440.

(c) See No. 395.

No. 371.—AN ACT for the relief of Jacob Rentleman.

Feb. 24, 1829.
Vol. 6, p. 396.

Be it enacted &c., That Jacob Rentleman, of the State of Illinois, who entered by mistake, in the office of the register of the land-office for the district of Kaskaskia, the east half of section thirty-five, in township twelve, south of range three, west, and who obtained a patent therefor, be, and he is hereby, authorized to enter with the said register any other half-section of land, within the said district, which is subject to private sale, upon his relinquishing to the United States the half-section described as aforesaid.

Authorized to enter a half-section of land in Illinois.

No. 372.—AN ACT to continue in force "An act authorizing certain soldiers in the late war to surrender the bounty lands drawn by them, and to locate others in lieu thereof," and for other purposes.

March 23, 1830.
Vol. 4, p. 383.

[See ARKANSAS, No. 1177.]

No. 373.—AN ACT to amend an act, entitled "An act to provide for paying to the State of Illinois three per centum of the net proceeds arising from the sale of the public lands within the same."

Jan. 13, 1831.
Vol. 4, p. 431.

Be it enacted, &c., That so much of the act, entitled "An act to provide for paying to the State of Illinois three per centum of the net proceeds arising from the sale of the public lands within the same," approved the twelfth of December, eighteen hundred and twenty, as requires an annual account of the application, by the said State, of the said three per centum, to be transmitted to the Secretary of the Treasury, be, and the same is hereby repealed. (a)

State of Illinois exonerated from obligation to render an annual account of the application of the three per cent.

(a) See Nos. 346, 355.

Feb. 19, 1831.
Vol. 4, p. 442.

No. 374.—AN ACT to establish a land office in the territory of Michigan, and for other purposes.

Land district established in Illinois.

Offices.

Another district established.

Offices.

Residence, security, &c., of registers and receivers.

Sale of lands.

SEC. 5. And be it further enacted, That so much of the State of Illinois as lies between the Illinois and Mississippi rivers, bounded on the south by the base line, on the north by the northern boundary of that State, and on the extreme east by the third principal meridian, be formed into a separate land district, the offices for which to be located where it will best accommodate purchasers and others, by the President; and a register and receiver shall be appointed at such time as the President of the United States shall deem proper.

SEC. 6. And be it further enacted, That another district be also formed in that State, on the north of the dividing line between townships sixteen and seventeen north of the base line, and east of the third principal meridian, including all that part of the State to its northern boundary, the offices for which to be located by the President, where the public interest and the convenience of purchasers may require; and a register and receiver shall be appointed at such time as the President of the United States shall deem proper.

SEC. 7. And be it further enacted, That the registers and receivers shall reside, respectively, at the places where the land offices are located, give security in the same manner, in the same sums, and whose compensation, emoluments, and duties, and authority, in every respect, be the same, in relation to the lands which shall be disposed of at their offices, as may be by law provided in relation to the registers and receivers of public moneys in the several offices established for the disposal of the lands of the United States northwest of the river Ohio. (a)

SEC. 8. And be it further enacted, That the said lands shall be disposed of in the same manner, and on the same terms and conditions, as are or may be provided by law for the sale of other lands of the United States: *Provided*, That no tracts of land excepted from sales by virtue of any former acts, shall be sold by virtue of this act. (b)

(a) See Nos. 196, 332, 339, 350, 360, 363, 383, 389, 449.

(b) See Nos. 322, 330, 332, 334, 336, 337, 338, 339, 341, 351, 360, 370, 389, 432, 433, 440.

March 2, 1831.
Vol. 4, p. 451.

No. 375.—AN ACT for the sale of the lands in the State of Illinois reserved for the use of the salt springs on the Vermillion River, in that State.

State of Illinois authorized to sell certain lands.

Proviso.

Be it enacted, &c., That the State of Illinois shall be, and is hereby, authorized and empowered to cause to be sold and conveyed, in such manner and on such terms and conditions as the legislature of said State has or may direct, the whole or any part of the lands reserved and set apart by the President of the United States, on the twenty-ninth day of March, eighteen hundred and twenty-five, for the use of the salt works on the Vermillion River, in said State, and to apply the proceeds of such sale to such objects as the legislature of said State has or may direct: *Provided*, Said lands shall not be sold for less than one dollar and twenty-five cents per acre. (a)

(a) See Nos. 342, 346, 369, 379, 426, 445.

March 2, 1831.
Vol. 4, p. 451.

No. 376.—AN ACT for the relief of the citizens of Shawneetown.

Certain purchasers entitled to re-enter certain lots.

Conditions.

Grant to trustees, of all vacant grounds, &c.

Be it enacted, &c., That it shall and may be lawful for any purchaser, the assignee or legal representative of any purchaser, of any in or out lot or lots in the town of Shawneetown in the State of Illinois, which lot or lots may have reverted for the non-payment of the purchase money, to re-enter the same lot or lots which may have so reverted, with the register and receiver of the district of Shawneetown, at any time within six months after the passage of this act, upon the following terms and conditions, to wit: by paying, in addition to what has heretofore been paid upon each in-lot, five dollars, and upon each out-lot, one dollar and twenty-five cents per acre.

SEC. 2. And be it further enacted, That there be, and hereby is, granted to the trustees of the town of Shawneetown, and their successors in office, for ever, in trust, to sell, or otherwise dispose of, for the purpose

of graduating and paving the river bank within the limits of said town, all the vacant ground not necessary for streets, all the in or out lots within the bounds of said town, which remain unsold, and all such as may remain unsold under the provisions of the first section of this act; this act to be carried into effect under the direction of the Commissioner of the General Land Office. (a)

(a) See Nos. 335, 361.

No. 377.—AN ACT to authorize the State of Illinois to surrender a township of land granted to said State for a seminary of learning, and to locate other lands in lieu thereof.

March 2, 1831.
Vol. 4, p. 475.

Be it enacted, &c., That the State of Illinois be, and is hereby authorized to relinquish to the United States, township number five, north of range number one west, situate in the county of Fayette, in said State, heretofore granted to the said State, for the use of a seminary of learning, and to locate upon the public lands within said State, the sale of which is authorized by law, one entire township of land or a quantity of land equal thereto, in tracts of not less than the quarter of a section. (a)

Land granted may be relinquished and other land located.

(a) See No. 346.

No. 378.—AN ACT to ascertain and mark the line between the State of Alabama and the Territory of Florida, and the northern boundary of the State of Illinois, and for other purposes.

March 2, 1831.
Vol. 4, p. 479.

* * * * *

SEC. 3. *And be it further enacted,* That the President of the United States is hereby authorized to cause the surveyor-general of the United States for the States of Illinois and Missouri, and the Territory of Arkansas, to act as a commissioner on the part of the United States, whenever he shall be duly informed that the government of the State of Illinois shall have appointed a commissioner on its part, the two to form a board, to ascertain, survey and mark the northern line of the State of Illinois, as defined in the act of Congress, entitled "An act to enable the people of the Illinois Territory to form a constitution and State government, &c.," passed the eighteenth of April, one thousand eight hundred and eighteen; and, in case of vacancy in said office of commissioner, or of his being unable to act from any cause, the President is authorized to fill such vacancy by the appointment of some other qualified person, whenever it may be necessary, until the object of the commission shall be attained.

Commissioners of northern boundary of Illinois.

SEC. 4. *And be it further enacted,* That the said board of commissioners shall have power to employ the necessary surveyors and labourers, and shall meet at such time and place as may be agreed upon by the President of the United States and the government of the State of Illinois, and proceed to ascertain, survey and mark the said northern line of the State of Illinois, and report their proceedings to the President of the United States, and the governor of the State of Illinois.

Surveyors, &c.

SEC. 5. *And be it further enacted,* That the President may allow to the said commissioner of the United States, such compensation for his services as shall seem to him reasonable: *Provided,* It does not exceed the allowance made by the State of Illinois to the Commissioner on its part; and the said allowance, together with one-half of the necessary expenses of said board, and the surveyors and labourers, and the allowance to be made to the surveyors-general of the State of Alabama and the Territory of Florida, and the necessary expenses incurred by them in running and marking said line between said State and Territory, shall be paid from the Treasury of the United States, out of any money not otherwise appropriated; and, to enable the President to carry this act into effect, there is hereby appropriated the sum of two thousand dollars. (a)

Compensation.

Proviso.

Expenses of Florida and Alabama line.

(a) See Nos. 326, 337, 346, 347, 394.

Jan. 19, 1832.
Vol. 4, p. 496.

No. 379.—AN ACT to authorize the State of Illinois, to sell twenty thousand acres of the saline lands in said State.

State author-
ized to sell.

Proceeds, how
to be applied.

Be it enacted, &c., That the State of Illinois be, and is authorized and empowered to sell and dispose of, twenty thousand acres (in addition to the thirty thousand acres heretofore authorized to be sold) of the lands granted to said State for the use and support of the salt works, known by the name of the "Ohio saline," in the county of Gallatin, in said State; the said twenty thousand acres of land to be selected and sold, and the proceeds thereof applied in such manner as the general assembly of Illinois have directed, or hereafter may direct. (a)

(a) See Nos. 342, 346, 369, 375, 426, 445.

March 15, 1832.
Vol. 6, p. 479.

No. 380.—AN ACT for the relief of Robert Jones and William A. Fleming.

W. A. Fleming
authorized to sur-
render land cer-
tificate, &c.

SEC. 2. And be it further enacted, That William A. Fleming be, and he is hereby, authorized to surrender to the register and receiver of the land office at Vandalia, in the State of Illinois, the certificate heretofore issued to him for the west half of the southeast quarter of section thirty-two, in township number ten north, range five east, which was purchased by him through mistake; and said William A. Fleming, on filing his relinquishment to all right and title thereto, is authorized to enter, in the said land office at Vandalia, any other half quarter-section of public land subject to entry at private sale.

July 14, 1832.
Vol. 4, p. 594.

No. 381.—AN ACT to provide for the extinguishment of the Indian title to lands lying in the States of Missouri and Illinois, and for other purposes.

[See MISSOURI, No. 1021.]

Feb. 19, 1833.
Vol. 6, p. 535.

No. 382.—AN ACT for the relief of Enoch Wilhoet.

Relinquish-
ment and entry
of certain lands
authorized.

Be it enacted, &c., That Enoch Wilhoet be, and he is hereby, authorized to relinquish to the United States, in such form as the Commissioner of the General Land Office shall prescribe, the west half of the southwest quarter of section number eight, in township number seven north, range number eleven west, in the district of lands offered for sale at Palestine, in the State of Illinois; and, upon such relinquishment being made as aforesaid, the said Wilhoet shall be, and he is hereby, authorized to enter any other half quarter-section of land in the said district, which shall be liable to entry at private sale.

March 2, 1833.
Vol. 4, p. 653.

No. 383.—AN ACT to create sundry new land offices, and to alter the boundaries of other land offices of the United States.

Quincy dis-
trict; part of Ed-
wardsville dis-
trict attached
thereto.

Vandalia dis-
trict; addition
thereto.

SEC. 6. And be it further enacted, That so much of the Edwardsville land district as lies north and northwest of the Illinois River, between said river and the Mississippi, be, and the same is hereby, attached to the Quincy land district, in the State of Illinois; and that ranges one and two west of the third principal meridian, embracing all townships from the base line to the southern boundary of the Sangamon land district, be, and the same is hereby, attached to the Vandalia land district in said State. The said transfer to be effected under the direction of the Secretary of the Treasury. (a)

(a) See Nos. 196, 332, 339, 350, 360, 363, 374, 389, 449.

No. 384.—AN ACT to authorize the county commissioners for the county of Peoria, in the State of Illinois, to enter a fractional quarter-section of land for a seat of justice, and for other purposes.

March 2, 1833.
Vol. 6, p. 538.

Be it enacted, &c., That the commissioners for the county of Peoria, in the State of Illinois, be, and they are hereby, authorized to enter with the register and receiver of the public lands at Springfield, in said State, (for the use of said county,) the residue of the northeast fractional quarter of section number nine, in township number eight north, in range number eight east: *Provided*, That nothing in this act shall be so construed as to interfere with the claim or claims of any other person or persons, to said fractional quarter-section.

Commissioners authorized, &c.

Proviso.

SEC. 2. *And be it further enacted*, That the heirs or legal representatives of J. Latham, deceased, be, and they are hereby, authorized to withdraw and relocate the claim which was illegally located on said fractional quarter-section, upon any other quarter-section of public land, to which it may, by law, be applicable. (a)

Heirs, &c., of J. Latham may relocate, &c.

(a) See No. 392.

No. 385.—AN ACT to amend an act, entitled "An act to grant a quantity of land to the State of Illinois, for the purpose of aiding in opening a canal to connect the waters of the Illinois River with those of Lake Michigan," and to allow further time to the State of Ohio for commencing the Miami Canal from Dayton to Lake Erie.

March 2, 1833.
Vol. 4, p. 662.

Be it enacted, &c., That the lands granted to the State of Illinois by the act to which this is an amendment, may be used and disposed of by said State, for the purpose of making a railroad instead of a canal as in said act contemplated; and that the time for commencing and completing said canal or railroad, whichever the State of Illinois may choose to make, be and is extended five years: *Provided*, That if a railroad is made in place of a canal, the State of Illinois shall be subject to the same duties and obligations, and the Government of the United States shall be entitled to, and have the same privileges on said railroad, which they would have had through the canal, if it had been opened. (a)

Lands granted to Illinois.

(a) See Nos. 358, 367, 417, 435.

No. 386.—AN ACT to authorize the President of the United States to cause the public surveys to be connected with the line of demarcation between the States of Indiana and Illinois.

March 2, 1833.
Vol. 4, p. 663.

[See INDIANA, No. 266.]

No. 387.—AN ACT for the relief of George Staley.

March 24, 1834.
Vol. 6, p. 556.

Be it enacted, &c., That George Staley be, and he is hereby authorized to relinquish to the United States, in such form as the Commissioner of the General Land Office shall prescribe, the east half of the southeast quarter of section number twelve, in township number four, south, range number ten east, containing eighty acres, in the district of lands offered for sale at Shawneetown, in the State of Illinois; and upon such relinquishment being made as aforesaid, the said Staley shall be, and he is hereby authorized to enter in lieu thereof, any other half quarter-section of land in said district, which shall be liable to entry at private sale, and which does not contain more than eighty acres.

May relinquish a certain tract of land, and enter another.

No. 388.—AN ACT for the relief of Noah Staley.

March 24, 1834.
Vol. 6, p. 557.

Be it enacted, &c., That Noah Staley be, and he is hereby authorized to relinquish to the United States, in such form as the Commissioner of the General Land Office shall prescribe, the southeast quarter, of the northeast quarter of section number twelve, township number four, south, range number ten, east, containing forty acres, in the district of lands offered for sale at Shawneetown, in the State of Illinois; and upon such relinquishment being made as aforesaid, the said Staley shall be, and he is hereby authorized to enter any other quarter of a quarter-section of land in said district, in lieu thereof, which shall be liable to entry at private sale, and which does not contain more than forty acres.

May relinquish a certain tract of land, and enter another.

June 26, 1834.
Vol. 4, p. 686.

No. 389.—AN ACT to create additional land districts in the States of Illinois and Missouri, and in the territory north of the State of Illinois.

Four new land districts created.

Be it enacted, &c., That all that tract of country lying north of the dividing line between township number twelve and thirteen, north of the base line running through the military bounty lands, and that tract of country lying north of the dividing line between townships number thirty and thirty-one, north of the old base line included in the State of Illinois, and all that tract of country lying north of the State of Illinois, west of Lake Michigan, and south and southeast of the Wisconsin and Fox rivers of Green Bay, in the present Territory of Michigan, be laid off into four new land districts, to be divided and designated as follows, to wit: That tract lying within the State of Illinois, as above described, shall be divided by a north and south line, drawn between the range of townships number three and four, east of the third principal meridian, and that on the west side of said line shall be called the northwest, and that on the east, the northeast land district of the State of Illinois; and all that tract north of the State of Illinois, west of Lake Michigan, south and southeast of the Wisconsin and Fox rivers, included in the present Territory of Michigan, shall be divided by a north and south line, drawn from the northern boundary of Illinois, along the range of township line next west of Fort Winnebago, to the Wisconsin River, and be called, the one on the west side, the Wisconsin, and that on the east side, the Green Bay land districts of the Territory of Michigan; which two districts shall embrace the country north of said rivers, when the Indian title shall become extinguished, and the Green Bay district may be divided so as to form two districts, when the President shall deem it proper.

President to designate place for office.

SEC. 2. *And be it further enacted,* That there shall be established in each of the said land districts, one land office, at such time and place as the President may designate, to be removed whenever he may deem it expedient for the public convenience. (a)

Registers and receivers to be appointed.

SEC. 3. *And be it further enacted,* That the President, by and with the consent of the Senate, so soon as a sufficient number of townships are surveyed, and returns thereof made to the General Land Office, to authorize the commencement of the sales in either of the said districts, to appoint one register, and one receiver for each land office so established, who shall reside at the place designated for the land office, and give security, and discharge all duties pertaining to such office as prescribed by law.

Land to be reserved for military posts.

SEC. 4. *And be it further enacted,* That the President shall be authorized, so soon as the survey shall have been completed, to cause to be offered for sale, in the manner prescribed by law, all the lands lying in said land districts, at the land offices in the respective districts in which the land so offered is embraced, reserving only section sixteen in each township, the tract reserved for the village of Galena, such other tracts as have been granted to individuals and the State of Illinois, and such reservations as the President shall deem necessary to retain for military posts, any law of Congress heretofore existing to the contrary notwithstanding. (b)

SEC. 7. * * * *Provided,* That nothing in this act shall be so construed as to permit the officers appointed in either of the foregoing land districts to receive compensation out of the Treasury of the United States.

(a) See Nos. 196, 332, 339, 350, 360, 363, 374, 383, 449.

(b) See Nos. 328, 330, 332, 334, 336, 337, 338, 339, 341, 351, 360, 370, 374, 432, 433, 440.

June 30, 1834.
Vol. 4, p. 743.

No. 390.—AN ACT granting land to certain exiles from Poland.

Thirty-six sections of land in Illinois or Michigan granted to Polish exiles.

Be it enacted, &c., That there be, and is hereby, granted to Lewis Banezakiewitz and his associates, being two hundred and thirty-five exiles from Poland, transported to the United States by the orders of the Emperor of Austria, thirty-six sections of land, to be selected by them, under the direction of the Secretary of the Treasury, in any three adjacent townships of the public lands which have been, or may hereafter be surveyed, situated within the limits of the State of Illinois or the Territory of Michigan

Names of the grantees to be

SEC. 2. *And be it further enacted,* That it shall be the duty of the Secretary of the Treasury to obtain an authenticated list of the names of

the aforesaid two hundred and thirty-five Polish exiles, and cause the same to be filed and recorded in the office of the Commissioner of the General Land Office. recorded in the General Land Office.

SEC. 3. *And be it further enacted*, That immediately after the said thirty-six sections of land shall be surveyed and located in the manner prescribed in the first section of this act, it shall be the duty of the Secretary of the Treasury to cause the said thirty-six sections to be divided into equal parts among the said two hundred and thirty-five Poles, by lot, under such regulations as the said Secretary may prescribe. Land to be divided by lot, in equal portions.

SEC. 4. *And be it further enacted*, That it shall be lawful for each and every of the said grantees to enter upon and take possession of the respective lots of land assigned to them and each of them; and, after the expiration of ten years, the said grantees, respectively, shall be entitled to a patent for the lot of land assigned to them as aforesaid: *Provided*, That the said grantees shall, during the said term of ten years, without intermission, actually inhabit and cultivate the said township of land in the ratio of one settlement for every five hundred acres thereof; and, on due proof of such habitation and cultivation to the Secretary of the Treasury, and of the payment into the proper land office of the minimum price per acre, at the time of such payment, within the said term of ten years, patents shall be granted as aforesaid, and not otherwise. (a) Ten years' occupancy to entitle to patent.

(a) See No. 411.

Proviso.

No. 391.—AN ACT for the relief of John Kirkpatrick.

June 30, 1834.
Vol. 6, p. 597.

Be it enacted, &c., That the Commissioner of the General Land Office is hereby authorized and required to issue, upon application, to John Kirkpatrick, his legal representatives or assigns, scrip to the amount of eighty dollars, being so much of the original purchase money paid to the receiver of the land office at Shawneetown, Illinois, for the purchase of the southeast quarter of section eighteen, township six, south of range one east, of the lands offered for sale at Shawneetown, which land was forfeited, and has reverted to the United States; said scrip to be receivable in payment for the purchase of the same or any other land which has been offered for sale in the State of Illinois. Scrip to be issued for the sum of \$80, &c.

No. 392.—AN ACT to authorize the heirs and legal representatives of James Latham, deceased, to withdraw and relocate a land warrant.

June 30, 1834.
Vol. 6, p. 598.

Be it enacted, &c., That the heirs and legal representatives of James Latham, deceased, be, and they are hereby, authorized to withdraw the land warrant or claim which was located on the northeast fractional quarter of section number nine, in township number eight north, in range east, in Peoria County, Illinois; and to relocate the same on any surveyed land which has not been reserved from sale in the State of Illinois; and which is subject to entry at private sale: *Provided*, That it shall not be located on any land upon which an improvement has been made, without first obtaining the permission in writing of the person who may occupy any such improvement. (a) Authorized to withdraw a land warrant, and to relocate the same.

(a) See No. 324.

Proviso.

No. 393.—AN ACT for the relief of John Tice, assignee of William Pennington.

March 3, 1835.
Vol. 6, p. 615.

Be it enacted, &c., That John Tice, assignee of William Pennington be, and he is hereby, authorized to select any quarter-section of land in the tract heretofore assigned for military bounties, in the State of Illinois, not otherwise appropriated, and containing no more than one hundred and sixty acres, in lieu of the southeast quarter of section twenty-eight, of township eight north, in range one west, which was on the seventeenth day of March, eighteen hundred and eighteen, patented to said Pennington in mistake. And on reporting the selection hereby authorized to the register of the proper land district, accompanied by a relinquishment to the United States of the title of said Tice, to said quarter-section twenty-eight, a patent shall issue in the name of said Tice, for the quarter-section selected as aforesaid. May select a quarter-section of land, &c.

June 23, 1836.
Vol. 5, p. 56.

No. 394.—AN ACT to settle and establish the northern boundary line of the State of Ohio.

Which line shall be taken as the line west from the middle of Lake Michigan.

SEC. 3. *And be it further enacted*, That the northern boundary line, ascertained, surveyed, and marked, agreeably to a law of Congress entitled "An act to ascertain and mark the line between the State of Alabama and the Territory of Florida, and the northern boundary of the State of Illinois, and for other purposes," approved March second, eighteen hundred and thirty-one, shall be deemed and taken as the line west from the middle of Lake Michigan, in north latitude forty-two degrees thirty minutes, to the middle of the Mississippi River, as defined in the act of Congress entitled "An act to enable the people of the Illinois Territory to form a constitution and State government, and for the admission of such State into the Union on an equal footing with the original States," approved eighteenth of April, eighteen hundred and eighteen, and shall be and for ever remain the northern boundary line of said State. (a)

(a) See Nos. 326, 337, 346, 347, 378.

July 2, 1836.
Vol. 5, p. 79.

No. 395.—AN ACT to amend an act entitled, "An authorizing the laying off a town on Bean River, in the State of Illinois, and for other purposes," approved fifth February, eighteen hundred and twenty-nine.

Board of commissioners.

Be it enacted, &c., That all acts and duties required to be done and performed by the surveyor of the States of Illinois and Missouri, and the Territory of Arkansas, under the act to which this is an amendment, shall be done and performed by a board of commissioners of three in number, any two of whom shall form a quorum to do business; said commissioners to be appointed by the President of the United States, and shall, previous to their entering upon the discharge of their duties, take an oath or affirmation to perform the same faithfully and impartially.

Power of commissioners.

SEC. 2. *And be it further enacted*, That the said commissioners shall also have power to hear evidence and determine all claims to lots of ground arising under the act to which this is an amendment, and for this purpose the said commissioners are authorized to administer all oaths that may be necessary, and reduce to writing all the evidence in support of claims to pre-emption presented for their consideration; and when all the testimony shall have been heard and considered, the said commissioners shall file with the register and receiver of the land office at Galena, the testimony in each case, together with a certificate in favor of each person having the right of pre-emption; and upon making payment to the receiver at Galena, for the lot or lots to which such person is entitled, the receiver shall grant a receipt therefor, and issue certificates of purchase, to be transmitted to the General Land Office, as in other cases of the sale of public land.

Duties of register and receiver.

SEC. 3. *And be it further enacted*, That the register and receiver at Galena, after the board of commissioners have heard and determined all the cases of pre-emption under the act to which this is an amendment, shall expose the residue of lots to public sale to the highest bidder, after advertising the same in three public newspapers at least six weeks prior to the day of sale, in the same manner as is provided for the sale of the public lands in other cases; and after paying to the commissioners the compensation hereinafter allowed them, and all the other expenses incident to the said survey and sale, the receiver of the land office shall pay over the residue of the money he may have received from the sale of lots aforesaid, by pre-emption as well as at public auction, into the hands of the county commissioners of Jo Daviess County, to be expended by them in the erection of public buildings, and the construction of suitable wharves in the town of Galena.

Commissioners to be paid by the receiver.

SEC. 4. *And be it further enacted*, That the commissioners appointed to carry this act into effect, shall be paid by the receiver six dollars each, per day, for their services, for every day they are necessarily employed. (a)

(a) See No. 370.

No. 396.—AN ACT for the relief of the executors of James O'Harra, late of Pittsburg, deceased.

July 2, 1836.
Vol. 6, p. 670.

Be it enacted, &c., That the register of the land office at Kaskaskia be required to issue certificates of confirmation on the several claims to land confirmed to the said James O'Harra by the governor of the Indiana Territory, upon those claims whereon such certificates have not heretofore been issued: *Provided*, That the whole amount of such certificates shall not be for more than six thousand six hundred acres of land.

Land claims to be confirmed.

Proviso.

SEC. 2. *And be it further enacted*, That said certificates may be located upon land subject to private entry in any land office in Illinois, established for the sale of the public land agreeably to the provisions of the act entitled "An act confirming certain claims to land in the Illinois Territory, and providing for their location;" and patents shall be issued therefore, agreeably to the said act.

To be located in Illinois.

SEC. 3. *And be it further enacted*, That the executors of said James O'Harra are hereby authorized to locate or assign said certificates, as they may deem most beneficial, to the heirs and representatives of said O'Harra.

Executors may assign certificates.

No. 397.—AN ACT for the relief of Josette Beaubien and her children.

July 2, 1836.
Vol. 6, p. 676.

Be it enacted, &c., That Josette Beaubien be, and she hereby is, permitted, under such instructions as may be given by the Secretary of the Treasury, for herself and her children, to relinquish to the United States all the right, title, interest, claim, and demand that she and her children have, or ever had, to two sections of land reserved to her and them in, and by virtue of, a treaty made at Tippecanoe, in the year one thousand eight hundred and thirty-two, between the United States and the Pottawatamie tribe of Indians; and that, in lieu thereof, she be permitted to locate, for herself and her said children, twelve hundred and eighty acres of land, in legal subdivisions, upon any of the public lands subject to private entry, situate and lying within the bounds of the lands to which the Indian title was extinguished by virtue of said treaty.

Allowed to relinquish certain lands, and enter another tract.

No. 398.—AN ACT for the relief of Catharine Myott.

March 2, 1837.
Vol. 6, p. 689.

Be it enacted, &c., That the proper officers be, and they are hereby, authorized to cause the east half of section fourteen, in township forty-four north, range one east, third principal meridian, in the State of Illinois, to be set apart and designated for Catharine Myott, as part of the reservation to which she is entitled under the provision of the treaty made at Prairie du Chien on the first day of August, eighteen hundred and twenty-nine.

A half-section of land to be set apart for her.

No. 399.—AN ACT for the relief of John Newton.

Feb. 6, 1839.
Vol. 6, p. 748.

Be it enacted, &c., That John Newton, late a private in Egerton's company of the Eleventh Regiment of Infantry, be, and he is hereby, authorized to surrender his title to the northwest quarter of section twenty-four, of township three north, of range two west in the military bounty district, in the State of Illinois; and upon making such surrender of title to the satisfaction of the Commissioner of the General Land Office, said John Newton is hereby authorized to enter, without payment, one quarter-section of any of the public lands subject to entry at private sale, in the State of Illinois: *Provided*, That said John Newton shall avail himself of the benefits intended to be granted by this act within two years from the passage thereof: *And provided, also*, That such entry shall not be made on lands on which any settlement or improvement has been or shall be made at the time of the application to make such entry, where the settler or settlers, or person or persons, making such improvements, shall, at such time, be entitled to the right of pre-emption to such land under the existing laws of Congress.

May surrender title to certain land, and enter other land.

Proviso.

Proviso.

Feb. 6, 1839.
Vol. 6, p. 749.

No. 400.—AN ACT to confirm the sale of certain reservations.

Land sale confirmed.

Proviso.

Be it enacted, &c., That the sale of the following reserve, under the provisions of the second article of the treaty with the Pottawatamies of the Prairie of twentieth of October, eighteen hundred and thirty-two, to wit: "five sections for Shaw-was-nas-see, to include Little Rock village," be, and the same hereby is, confirmed to Cyrus Taber, and Allen Hamilton and Hiram Todd, the purchasers from the said reservee: *Provided,* That no such sale or conveyance of said lands, or any part thereof, shall be valid or effectual until every such conveyance or deed shall be submitted to the President of the United States for his approbation; and if, after inquiry into the facts and circumstances attending the contracts for the sale of any of the said lands as aforesaid, he shall be satisfied that such contracts were fair, and that the consideration paid or secured to be paid therefor is adequate, he shall endorse his approval on each conveyance and deed so approved, and thereafter the same shall be deemed valid and effectual.

March 2, 1839.
Vol. 6, p. 756.

No. 401.—AN ACT for the relief of Samuel Dickerson.

Upon relinquishing certain land, authorized to enter another tract.

Be it enacted, &c., That Samuel Dickerson, of Sangamon County, Illinois, be, and he hereby is, authorized to relinquish to the United States, in such manner as the Secretary of the Treasury shall direct, the east half of the northwest quarter of section eighteen, township sixteen north, range one west; and upon his making such relinquishment, he shall be authorized to enter with the register and receiver of the land office at Springfield, Illinois, the same quantity of any of the unappropriated land, in said land district, which shall be subject to sale at private entry.

March 2, 1839.
Vol. 6, p. 756.

No. 402.—AN ACT for the relief of Daniel Malone.

Upon surrendering his right to certain land, may enter a like quantity.

Be it enacted, &c., That on Daniel Malone surrendering to the United States all his right of the west half of the northeast quarter of section number thirty-five, in township number four south, range three west in the Kaskaskia land district, in the State of Illinois, the register is hereby authorized and required to permit the said Malone to enter in said district the same quantity of land so surrendered as above stated, out of any lands not otherwise disposed of, and subject to private entry.

March 3, 1839.
Vol. 6, p. 765.

No. 403.—AN ACT for the relief of Isaac Miller.

May surrender land certificate, and receive another therefor.

Be it enacted, &c., That Isaac Miller, of Union County, Illinois, be, and he is hereby, authorized to relinquish to the United States, in such form as the Commissioner of the General Land Office may require, certificate number five hundred and twenty, for the southwest quarter of the northwest quarter of section twenty-two, in township eleven south, of range three west, in the district of lands subject to entry at Kaskaskia, Illinois; and upon such relinquishment being made, as aforesaid, the said Isaac Miller shall be, and he is hereby, authorized to enter any other forty acres in the Kaskaskia land district, in the State of Illinois.

March 3, 1839.
Vol. 6, p. 766.

No. 404.—AN ACT for the relief of Philip Catner.

Authorized to relinquish certain land, and enter another tract.

Be it enacted, &c., That Philip Catner be, and he is hereby, authorized to relinquish to the United States, in such form as the Commissioner or the General Land Office may prescribe, the northeast quarter of the southeast quarter of section number twenty-one, in township number eleven south, of range number three west, in the district of land offered for sale at Kaskaskia, Illinois; and upon such relinquishment being made, as aforesaid, the said Philip Catner shall be, and he is hereby, authorized to enter any other quarter quarter-section, containing not more than forty acres, in the district of lands subject to sale at Kaskaskia, in the State of Illinois, subject to private entry.

No. 405.—AN ACT for the relief of Peter Samuel Jaccard.March 3, 1839.
Vol. 6, p. 767.

Be it enacted, &c., That Peter Samuel Jaccard, grantee of eighty acres of land in section thirty-one, in township thirteen south, range two east, be, and he is hereby, authorized to relinquish to the United States, in such form as the Commissioner of the General Land Office shall prescribe, the certificate to the above-described eighty acres of land; and upon such relinquishment being made, as aforesaid, the said Peter Samuel Jaccard shall be, and he is hereby, authorized to enter any other half quarter-section of land in the land district of Shawneetown, Illinois.

Authorized to
relinquish and
enter land.**No. 406.—AN ACT to authorize James Alexander to relinquish certain land, and to locate other land in lieu thereof.**May 2, 1840.
Vol. 6, p. 797.

Be it enacted, &c., That James Alexander be, and he is hereby, authorized to relinquish to the United States the east half of the southeast quarter of section number three, in township number nine north, in range fourteen west of the second principal meridian, in the Palestine land district, State of Illinois; and that he be permitted to enter, in lieu thereof, a like quantity of land within the limits of said district subject to private entry.

Authorized to
relinquish cer-
tain land and
enter another
tract.**No. 407. AN ACT to revive an act authorizing certain soldiers in the late war to surrender the bounty lands drawn by them and to locate others in lieu thereof, and for other purposes.**May 27, 1840.
Vol. 5, p. 380.

[See ARKANSAS, No. 1216.]

No. 408.—AN ACT granting a section of land for the use of schools in St. Clair County, State of Illinois.July 20, 1840.
Vol. 6, p. 810.

Be it enacted, &c., That one section of the public lands subject to private entry and sale in the State of Illinois, be located for the use and benefit of schools for the inhabitants of township one north, range ten west of the third principal meridian, in said State, in lieu of the sixteenth section, which has been appropriated by the Government for the use of private claims.

Another sec-
tion to be located
in lieu of the
sixteenth.

SEC. 2. *And be it further enacted,* That any person appointed by the county commissioners' court of the county of St. Clair, in the State of Illinois, be, and he is hereby, authorized to locate the said section named in this act for the purposes above named. (a)

By whom to be
located.

(a) See Nos. 337, 338, 342, 346, 356, 413, 418, 443, 444.

No. 409.—AN ACT for the relief of Gurdon S. Hubbard, Robert A. Kinzie, and others.Feb. 18, 1841.
Vol. 6, p. 818.

Be it enacted, &c., That the reversionary interest of the United States in and to the following Indian reservations, under the treaty with the Pottawatomies of the Prairie and Kankakee, made at Camp Tippecanoe, on the twentieth day of October, anno Domini one thousand eight hundred and thirty-two, be, and the same hereby is, relinquished to the persons hereinafter named, respectively, that is to say:

Reversionary
interest of United
States in certain
reservations, re-
linquished to per-
sons hereinafter
named.

To Thomas Durham and John Blackstone, according to their several shares as purchased of Jacques Jonveau, the section reserved by said treaty to said Jacques Jonveau;

To Noel Vasseur, six hundred and forty acres of the reservation to Me-she-ke-ton-o, reference being had to the deed of said reservee to said Vasseur for location and more particular description thereof;

To Gurdon S. Hubbard, E. K. Hubbard, H. G. Hubbard, and Noel Vasseur, the remaining one section of the reservation to said Me-she-ke-ton-o;

To Noel Vasseur, the one section reserved to Francis Le Vice;

To Gurdon S. Hubbard and Richard J. Hamilton, the reservation to Joseph Leframboise and Therese, his wife;

To Robert A. Kinzie and Richard J. Hamilton, the reservation of one section to Archange Peltier;

To Richard J. Hamilton, the reservation of one section to Minemaung.

Conditions on which the relinquishment is made.

It being understood, and this relinquishment is made upon the condition, that the several persons herein named as grantees have purchased of the several reservees, by authentic and regular deeds, their respective rights in and to the said reservations: *And provided, further,* That no sale or conveyance of said reservations by the said reservees shall be deemed regular, nor shall this act have effect, until the President of the United States shall have approved such conveyance, and endorsed his approval thereon.

March 19, 1842.
Vol. 5, p. 471.

No. 410.—AN ACT to authorize the governors of the States of Illinois, Arkansas and Missouri to cause to be selected the lands therein mentioned.

Section 8 of act of Sept. 4, 1841, modified.

Be it enacted, &c., That so much of the eighth section of the act entitled "An act to appropriate the proceeds of the sales of the public lands, and to grant pre-emptions," approved September fourth, eighteen hundred and forty-one, as provides that the selections of grants of lands made to the several States, therein mentioned, for the purposes of internal improvement, shall be made, respectively, in such manner as the legislatures thereof shall direct, is so far modified as to authorize the governors of the States of Illinois, Arkansas and Missouri to cause the selections to be made for those States without the necessity of convening the legislatures thereof for that purpose. (a)

(a) See No. 440.

April 14, 1842.
Vol. 5, p. 473.

No. 411.—AN ACT relative to the act entitled "An act granting lands to certain exiles from Poland," approved, thirtieth June, eighteen hundred and thirty-four.

Acts now in force for the sale of the public lands, &c., extended to certain lands selected under the act granting lands to Polish exiles.

Be it enacted, &c., That the acts now in force for the sale of the public lands, and granting pre-emption rights to actual settlers, be, and the same are hereby, declared to extend to, and include, the lands selected in townships forty-four, forty-five, and forty-six, north of the base line, range one east, of the third principal meridian, lying in the State of Illinois, by Lewis Clopicki, under color of the act entitled, "An act granting lands to certain exiles from Poland." The said selections not having been made in pursuance of the provisions of said act, which act is hereby declared to be in full force, for the benefit of said Polish exiles. (a)

(a) See No. 390.

June 22, 1842.
Vol. 6, p. 832.

No. 412.—AN ACT authorizing the county commissioners of Lake County, Illinois, to enter a quarter-section of land for a seat of justice in said county.

Authorized to enter a tract of land, in lieu of the one formerly selected for a seat of justice.

Proviso.

Be it enacted, &c., That upon proof being made to the Secretary of the Treasury of the payment of the minimum price per acre by the county of Lake, in the State of Illinois, to the United States, for the southeast quarter of section twenty-one, in township forty-five north, of range twelve, east of the third principal meridian, upon which the county seat of said county is located, it shall be lawful for the President of the United States to cause a patent for said land to be issued to said county, in lieu, and in full satisfaction of the claim of said county to enter one quarter-section of land in virtue of the act of the twenty-sixth May, eighteen hundred and twenty-four, entitled "An act granting to the counties or parishes of each State and Territory of the United States in which the public lands are situated the right of pre-emption to quarter-sections of land for seats of justice within the same:" *Provided,* Said county shall relinquish in such form as the Secretary of the Treasury shall prescribe, all claim whatever to the northeast quarter of section twenty-one, township forty-four, range eleven east, lying in said county, and which tract was first selected by said county for the use of the county seat for said county, in virtue of the provisions of the act aforesaid.

No. 413.—AN ACT to confirm the sale of a certain school section in the State of Illinois, and for other purposes.

Aug. 1, 1842.
Vol. 6, p. 847.

Be it enacted, &c., That the sale heretofore made of section number sixteen, in township number thirty-nine, north of range fourteen, east of the third principal meridian, in the State of Illinois, by and under the authority of said State, with the assent of the inhabitants of the congressional township, in which said section is situate, be, and the same is hereby confirmed: *Provided,* That this act shall be construed as only giving the assent of the United States to said sale, and to the patents issued by the State of Illinois to the purchasers of the same, so far as the United States are concerned in the matter. (a)

Land sale confirmed.

Proviso.

(a) See Nos. 337, 338, 342, 346, 356, 408, 418, 443, 444.

No. 414.—AN ACT for the relief of John A. Rockwell.

Aug. 1, 1842.
Vol. 6, p. 849.

Be it enacted, &c., That the President of the United States be, and he hereby is, authorized to issue a patent to John A. Rockwell, or his legal representatives, for the southeast quarter of section number fourteen, in township number thirty-three, north of range one, east of the third principal meridian, in the district of lands formerly subject to sale at the land office at Galena, in the State of Illinois: *Provided,* That the said John A. Rockwell, or his legal representatives, shall satisfactorily appear to the Secretary of the Treasury to have been the legal assignee of Richard Long, of the certificate of purchase of said lands, or shall prove to the satisfaction of the Secretary of the Treasury that he holds a conveyance for the same, executed to him by the said Richard Long before his right of pre-emption to the said lands had been set aside by the proper Department, on account of a defect in the proof of cultivation.

Patent to be issued to him for certain land.

Proviso.

No. 415.—AN ACT for the relief of Daniel B. Bush.

Aug. 11, 1842.
Vol. 6, p. 850.

Be it enacted &c., That Daniel B. Bush, grantee under John Smith, be and he is hereby, authorized to relinquish to the United States, in such form as the Commissioner of the General Land Office shall prescribe, the southwest quarter of section thirty-five, of township thirteen south, in range two west, in the tract appropriated by acts of Congress granting land to the late army of the United States; which tract of land appears to be but a small fraction, not conforming to the law under which it was granted; and upon such relinquishment being made as aforesaid, the said Daniel B. Bush shall be, and he is hereby authorized to enter any other quarter-section in the land district in which said fraction is situated in the State of Illinois, which shall be liable to entry at private sale, and not in the occupancy of any actual settler: *Provided,* The said Daniel B. Bush, shall prove to the satisfaction of the Secretary of the Treasury, that he is the bona-fide purchaser of the land specified in the patent, and that he holds the same for said fractional quarter-section granted to John Smith, father and heir at law of Edward Smith, deceased.

Authorized to relinquish and re-enter land.

Proviso.

No. 416.—AN ACT for the the relief of William Osteen, of Illinois.

Aug. 11, 1842.
Vol. 6, p. 853.

Be it enacted, &c., That William Osteen, of the county of Franklin in the State of Illinois, be, and he is hereby, authorized, within six months from the date of this act, to surrender to the Secretary of the Treasury to be cancelled, the certificate of the land offices at Shawneetown, in said State, for the north half of the southeast quarter of section number twenty-nine, in township number seven south, range number two east, lying in the Shawneetown land district, in the State aforesaid; which was entered by said William Osteen by mistake, and in lieu thereof, he is hereby authorized to enter the like quantity of land in legal subdivisions, elsewhere in said land district: *Provided,* The same be subject to private entry, and not subject to the right of pre-emption.

Authorized to surrender land certificate, and to enter other land.

Proviso.

Aug. 29, 1842.
Vol. 5, p. 542.

No. 417.—AN ACT to authorize the States of Indiana and Illinois to select certain quantities of land, in lieu of like quantities heretofore granted to the said States, for the construction of the Wabash and Erie and the Illinois and Michigan canals.

* * * * *

Lands to be selected in lieu of others granted for the Illinois and Michigan Canal.

SEC. 2. *And be it further enacted,* That the Governor of the State of Illinois is hereby authorized to cause to be selected, from any of the unsold public lands in that State, not subject to the right of pre-emption, the quantity of five thousand seven hundred and sixty acres, in lieu of sections numbered three and nine, in township thirty-two, north of range three east; sections thirteen and twenty-one, in township thirty-four, north of range six east; sections twenty-five and thirty-three in township thirty-three, north of range eleven east; and sections thirteen, nineteen, and twenty-one, in township thirty-three, north, of range eight, east of the third principal meridian, heretofore selected by the said State under "An act to grant a quantity of land to the State of Illinois, for the purpose of aiding in opening a canal to connect the waters of the Illinois River with those of Lake Michigan," but which had been sold and patented to individuals by the United States, before the location by the said State had been approved.

Selections to be reported to Secretary of the Treasury, and approved by the President.

SEC. 3. *And be it further enacted,* That the selections of lands made under this act shall be reported by the governors of the said States respectively, to the Secretary of the Treasury, and approved by the President of the United States. (a)

(a) See Nos. 358, 367, 385, 435.

Feb. 15, 1843.
Vol. 5, p. 600.

No. 418.—AN ACT to authorize the legislatures of the States of Illinois, Arkansas, Louisiana, and Tennessee, to sell the lands heretofore appropriated for the use of schools in those States.

Authority to provide for the sale of school lands, &c.

Be it enacted, &c., That the legislatures of Illinois, Arkansas, Louisiana, and Tennessee, be, and they are hereby, authorized to provide by law for the sale and conveyance in fee-simple, of all or any part of the lands heretofore reserved and appropriated by Congress for the use of schools within said States, and to invest the money arising from the sales thereof in some productive fund, the proceeds of which shall be forever applied, under the direction of said legislatures, to the use and support of schools within the several townships and districts of country for which they were originally reserved and set apart, and for no other use or purpose whatever: *Provided,* Said land, or any part thereof, shall in no wise be sold without the consent of the inhabitants of such township or district, to be obtained in such manner as the legislatures of said States shall by law direct; and in the apportionment of the proceeds of said fund, each township and district shall be entitled to such part thereof, and no more, as shall have accrued from the sum or sums of money arising from the sale of the school lands belonging to such township or district.

Proviso.

Apportionment of the proceeds.

Authority to make laws for protection of said lands, &c.

SEC. 2. *And be it further enacted,* That the legislatures of said States be, and they are hereby, authorized to make such laws and needful regulations as may be deemed expedient to secure and protect from injury or waste, the sections reserved by the laws of Congress, for the use of schools, to each township, and to provide by law, if not deemed expedient to sell, for leasing the same for any term not exceeding four years, in such manner as to render them productive, and most conducive to the object for which they were designed.

In case of insufficiency of said proceeds to support schools, authority to invest them until adequate.

SEC. 3. *And be it further enacted,* That if the proceeds accruing to any township or district from said fund, shall be insufficient for the support of schools therein, it shall be lawful for said legislatures to invest the same in the most secure and productive manner, until the whole proceeds of the fund belonging to such township or district shall be adequate to the permanent maintenance and support of schools within the same: *Provided,* That the legislatures aforesaid shall, in no case, invest the proceeds of the sale of the lands in any township in manner aforesaid, without the consent of the inhabitants of said township or district, to be obtained as aforesaid.

Proviso.

Such sales as have been made not inconsistent with the principles of this act, confirmed.

SEC. 4. *And be it further enacted,* That any sales of such lands, reserved as aforesaid, as have been made in pursuance of any of the laws enacted by the legislatures of said States, and not inconsistent with the principles of this act, are hereby ratified and confirmed so far as the assent of the United States to the same may be necessary to the confirmation thereof. (a)

(a) See Nos. 337, 338, 342, 346, 353, 408, 413, 443, 444.

No. 419.—AN ACT for the relief of George Davenport, of Rock Island, in the State of Illinois.

April 2, 1844.
Vol. 6, p. 908.

Be it enacted, &c., That George Davenport be, and he is hereby, authorized to enter the fractional quarter-section of land upon which he resides, on Rock Island, in the State of Illinois, it being the southeast fractional quarter of section twenty-five, in township numbered eighteen north, range numbered two west of the fourth principal meridian, upon his paying to the receiver of public moneys of the United States land office at Dixon the minimum price of one dollar and twenty-five cents per acre for the same, upon which a final certificate and patent shall issue, as in other cases.

Authorized to enter certain land.

No. 420.—AN ACT for the relief of William Elliot, junior, of Fulton County, State of Illinois.

March 11, 1846.
Vol. 9, p. 649.

Be it enacted, &c., That William Elliot, junior, of Fulton County, State of Illinois, be and he is hereby permitted to enter, at the minimum price per acre, the northwest quarter of section thirty, in township numbered five, north of range numbered four, east of the fourth principal meridian, the same being within the Quincy land district in said State; and upon the payment of the purchase money therefor, a final certificate and patent shall issue as in other cases: *Provided*, That if any bona-fide assignment or sale of said tract were made by said William Elliot, junior, after his erroneous entry thereof in February, one thousand eight hundred and thirty-six, then said patent shall inure to the benefit of such purchaser or assignee of said William, notwithstanding said original entry may have been subsequently cancelled by order of the Commissioner of the General Land Office.

William Elliot, Jr., permitted to enter a quarter-section of land.

Final certificate and patent to issue.

Proviso, in case of assignment.

No. 421.—AN ACT to authorize the President of the United States to sell the reserved mineral lands in the States of Illinois and Arkansas, and Territories of Wisconsin and Iowa, supposed to contain lead ore.

July 11, 1846.
Vol. 9, p. 37.

Be it enacted, &c., That the President be, and he hereby is, authorized, as soon as practicable, to cause the reserved lead mines and contiguous lands in the State of Illinois and Arkansas, and Territories of Wisconsin and Iowa, belonging to the United States, to be exposed to sale, in the same manner that other public lands are authorized by law to be sold, except as hereinafter provided.

All the reserved lead mines and contiguous lands in Illinois, Arkansas, Wisconsin, and Iowa, to be exposed to sale.

Six months' public notice to be given of such sales, with a brief description, &c.

SEC. 2. *And be it further enacted*, That six months' notice of the times and places of said sales shall be given in such newspapers of general circulation, in such of the States as the President may think expedient, with a brief description of the mineral regions of the States of Illinois and Arkansas, and Territories of Wisconsin and Iowa, and of the lands to be offered for sale; showing the number and localities of the different mines now known, the probability of discovering others, the quality of the ore, the facilities of working it, the further facilities (if any) for manufactories of shot, sheet lead, and paints, and the means and expense of transporting the whole to the principal markets in the United States: *Provided*, That the said lands shall not be subject to the rights of pre-emption until after the same have been offered at public sale and subject to private entry.

Proviso as to pre-emption.

SEC. 3. *And be it further enacted*, That upon satisfactory proof, made to the register and receiver of the proper land office, that any tract or tracts of said lands contain a mine or mines of lead ore, actually discovered and being worked, then, and in that case, the same shall be sold in such legal subdivision or subdivisions as will include such mine or mines; and no bid shall be received therefor at a less rate than the sum of two dollars and fifty cents per acre; and if such tract or tracts shall not be sold at such public sale, at such price, nor shall be entered at private sale within twelve months thereafter, then the same shall be subject to sale as other lands: *Provided*, That no legal subdivision of any of said lands, upon which there may be an outstanding lease or leases from the Government of the United States, or their authorized agent, unexpired and undetermined, shall be sold until after the determination of such lease or leases by effluxion of time, voluntary surrender, or other legal extinguishment thereof. (a)

Any tract containing a mine or mines of lead ore to be sold in such legal subdivisions as will include such mine or mines.

No bid less than \$2.50 per acre to be taken within one year.

Leased subdivisions not to be sold until expiration of lease.

(a) See No. 342.

July 15, 1846.
Vol. 9, p. 652.

Benjamin Harris permitted to enter at the minimum price certain land in the Dixon land district, Illinois.

Patent to issue. Proviso, in case of an assignment.

No. 422.—AN ACT for the relief of Benjamin Harris, of La Salle County, State of Illinois.

Be it enacted, &c., That Benjamin Harris, of La Salle County, State of Illinois, be, and he is hereby, permitted to enter, at the minimum price per acre, the southeast fraction of the northwest quarter of section twelve, in township numbered thirty-three north, range numbered three east, of the third principal meridian, in the Dixon land district in said State, heretofore entered by said Benjamin Harris as a pre-emption under the act of the nineteenth of June, eighteen hundred and thirty-four, and which entry has been cancelled for irregularity; and on the payment of the purchase money therefor, a final certificate and patent shall issue as in other cases: *Provided, however,* If any transfer or assignment of the right of the said Harris has been made by him to any other person, the privilege hereby granted shall extend to and be exercised by his assignee.

Aug. 8, 1846.
Vol. 9, p. 662.

James A. Whiteside authorized to surrender a certain patent for lands.

Authorized to enter lands in lieu thereof.

No. 423.—AN ACT for the relief of Wiley B. Parnell, of Blount County, Alabama, and James A. Whiteside, of Illinois.

SEC. 2. And be it further enacted, That James A. Whiteside, of the county of Hardin, in the State of Illinois, be, and he is hereby, authorized to surrender the patent issued to him from the Shawneetown land district, in said State, for the southwest quarter of the northeast quarter of section eight, in township eleven south, of range eight east, in said land district, entered and patented by the said Whiteside, on the twenty-eighth of July, eighteen hundred and thirty-eight; and upon the surrender of said patent for the said tract of land, under such rules and regulations as the Commissioner of the General Land Office may prescribe, the said James A. Whiteside is hereby authorized to locate and enter, in lieu thereof, an equal quantity of land to that so surrendered, anywhere in the said land district unsold, and to which no pre-emption right attaches: *Provided,* That said entry shall be made within six months after the passage of this act.

Aug. 8, 1846.
Vol. 9, p. 670.

Warrant for 160 acres of land to be issued to Eli Merrill, in lieu of one heretofore issued.

No. 424.—AN ACT for the relief of Eli Merrill.

Be it enacted, &c., That upon the surrender to the Commissioner of the General Land Office, by Eli Merrill, of letters-patent issued to said Eli Merrill for a tract of land containing one hundred and sixty acres, being the northwest quarter of section twenty-six, of township five north, in range one west, in the tract appropriated for military bounties in the Territory of Illinois, and upon due proof made that said Merrill has made no conveyance of said land, the said Commissioner of the General Land Office shall be, and is hereby, authorized and required to issue a warrant in favor of said Eli Merrill for one hundred and sixty acres of land to be located upon any unlocated land belonging to the United States and now subject to entry.

Jan. 26, 1847.
Vol. 9, p. 118.

No. 425.—AN ACT declaring the assent of Congress to certain States to impose a tax upon all lands hereafter sold by the United States therein, from and after the day of such sale.

[See OHIO, No. 169.]

March 3, 1847.
Vol. 9, p. 181.

Sale of saline lands granted to State of Illinois authorized.

No. 426.—AN ACT to give the consent of Congress to the sale of certain salt-spring lands heretofore granted to the State of Michigan, Illinois, and Arkansas.

SEC. 2. And be it further enacted, That the State of Illinois shall be, and hereby is, authorized and empowered to sell, in such manner as the legislature of the said State shall by law direct, the whole or any part of the saline lands lying in Jackson County, in said State, which were granted to the State of Illinois, by virtue of "An act to enable the people of the Illinois Territory to form a constitution and State government, and for the admission of such State into the Union on an equal footing with the original States," approved April eighteenth, eighteen hundred and eighteen. (a)

(a) See Nos. 342, 346, 369, 375, 379, 445.

No. 427.—AN ACT authorizing persons, to whom reservations of land have been made under certain Indian treaties, to alienate the same in fee.

March 9, 1848.
Vol. 9, p. 213.

Be it enacted, &c., That all the reservations to or for any person or persons named in the treaty of the twentieth day of October, eighteen hundred and thirty-two, made at Camp Tippecanoe, in the State of Indiana, between the United States by their commissioners, Jennings, Davis, and Crume, and the chiefs and headmen of the Pottawatomie tribe of Indians of the Prairie and Kankakee, shall be so construed and held to convey to and vest in said reservees, their heirs, and assigns, forever, an estate in fee-simple in and to the reservations so made, by said treaty, to or for said reservees respectively.

Reservees under treaty of Oct. 20, 1832 (vol. vii, p. 378), with the Pottawatomies, to hold their land in fee-simple.

SEC. 2. *And be it further enacted,* That said reservees, or their heirs, may sell and convey all or any part of his, her, or their respective reserves; and such sale and conveyance shall vest in the purchaser, his or her heirs and assigns, such title as is described in such deed of conveyance, to such lands so sold and conveyed: *Provided,* That all deeds of conveyance made before the passage of this act shall stand upon the same footing as those made after the passage of this act, and the rights of the parties shall be the same in one case as in the other: *Provided,* That such deed of conveyance for any of said lands, made before or after the passage of this act, shall not be valid for such purpose until the same shall have been approved by the President of the United States.

Said lands may be alienated, and former alienations confirmed.

Approval of the alienation by President made essential.

No. 428.—AN ACT for the relief of Charity Herrington.

Aug. 12, 1848.
Vol. 9, p. 736.

Be it enacted, &c., That Charity Herrington be authorized and permitted to enter at the minimum price, at the Chicago land office, the northeast fractional quarter of section ten, in township thirty-nine north, of range eight east, of the third principal meridian, and a patent shall issue therefor as in other cases: *Provided,* That this act, and the patent hereby authorized to be granted, shall not have the effect, or be construed, to impair any legal or equitable claim of any person or persons whatsoever to said tract or parcel of land.

Charity Herrington authorized to enter a certain fractional quarter-section of land.

Patent to issue. Proviso.

No. 429.—AN ACT for the relief of the heirs of Jean F. Perry, Josiah Bleakley, Nicholas Jarrot, and Robert Morrison.

Dec. 21, 1848.
Vol. 9, p. 749.

Be it enacted, &c., That the register of the land office at Kaskaskia be required to issue certificates of confirmation on the several claims to lands confirmed to the said Jean F. Perry, Josiah Bleakley, Nicholas Jarrot, and Robert Morrison, by the governors of the Northwestern or Indiana Territories, upon those claims where such certificates have not heretofore issued, which certificates shall be issued to the heirs of the said persons, and shall not exceed in the whole four thousand six hundred acres of land.

Certificates of confirmation on certain land claims to be issued to J. F. Perry, Josiah Bleakley, Nich. Jarrot, and Robert Morrison.

SEC. 2. *And be it further enacted,* That such certificates may be located in legal subdivisions upon any land subject to private entry in any land office in Illinois, established for the sale of the public lands agreeably to the provisions of the act entitled "An act confirming certain claims to land in the Illinois Territory, and providing for their location," approved April sixteenth, eighteen hundred and fourteen, and patents shall be issued therefor agreeably to said act.

Where to be located.

Patents to issue.

No. 430.—AN ACT for the relief of James Hotchkiss.

March 3, 1849.
Vol. 9, p. 775.

Be it enacted, &c., That James Hotchkiss be, and he is hereby, authorized to enter at the Chicago land office, in the State of Illinois, at the minimum price, the northeast quarter of section thirty-one, in township thirty-nine north, and range eight east, of the third principal meridian: *Provided,* That said Hotchkiss, at the time of said entry and purchase, shall satisfy the register and receiver of said land district that there are no adverse or other claimants to said tract of land, or to any part thereof.

James Hotchkiss authorized to enter a quarter-section of land.

Proviso.

March 3, 1849.
Vol. 9, p. 776.

No. 431.—AN ACT for the relief of William L. Wigent.

William L. Wigent authorized to enter and purchase a certain tract of land in Illinois.

Be it enacted, &c., That William L. Wigent be, and he is hereby, authorized to enter and purchase, at the minimum price of the public lands, the southeast quarter of section numbered twelve, in township numbered thirty-five north, range numbered eleven east, of the third principal meridian, in the northeastern land district of Illinois; it being the same tract of land on which the said Wigent resides, and has improved and cultivated: *Provided,* The said Wigent, at the time of said entry and purchase, shall satisfy the register and receiver of said land district that there are no adverse or other claimants to said tract of land, or to any part of the same.

Sept. 20, 1850.
Vol. 9, p. 466.

No. 432.—AN ACT granting the right of way, and making a grant of land to the States of Illinois, Mississippi, and Alabama, in aid of the construction of a railroad from Chicago to Mobile.

Right of way granted for railroad and branches, with privilege of using the materials found.

Be it enacted, &c., That the right of way through the public lands be, and the same is hereby, granted to the State of Illinois for the construction of a railroad from the southern terminus of the Illinois and Michigan Canal to a point at or near the junction of the Ohio and Mississippi rivers, with a branch of the same to Chicago, on Lake Michigan, and another via the town of Galena in said State, to Dubuque in the State of Iowa, with the right also to take necessary materials of earth, stones, timber, etc., for the construction thereof: *Provided,* That the right of way shall not exceed one hundred feet on each side of the length thereof, and a copy of the survey of said road and branches, made under the direction of the legislature, shall be forwarded to the proper local land offices respectively, and to the General Land Office at Washington City, within ninety days after the completion of the same.

Proviso.

Alternate sections of land granted.

SEC. 2. *And be it further enacted,* That there be, and is hereby, granted to the State of Illinois, for the purpose of aiding in making the railroad and branches aforesaid, every alternate section of land designated by even numbers, for six sections in width on each side of said road and branches; but in case it shall appear that the United States have, when the line or route of said road and branches is definitely fixed by the authority aforesaid, sold any part of any section hereby granted, or that the right of preemption has attached to the same, then it shall be lawful for any agent or agents to be appointed by the governor of said State, to select, subject to the approval aforesaid, from the lands of the United States most contiguous to the tier of sections above specified, so much land in alternate sections, or parts of sections, as shall be equal to such lands as the United States have sold, or to which the right of preemption has attached as aforesaid, which lands, being equal in quantity to one-half of six sections in width on each side of said road and branches, the State of Illinois shall have and hold to and for the use and purpose aforesaid: *Provided,* That the lands to be so located shall in no case be further than fifteen miles from the line of the road: *And further provided,* The construction of said road shall be commenced at its southern terminus, at or near the junction of the Ohio and Mississippi rivers, and its northern terminus upon the Illinois and Michigan Canal simultaneously, and continued from each of said points until completed, when said branch roads shall be constructed, according to the survey and location thereof: *Provided further,* That the lands hereby granted shall be applied in the construction of said road and branches respectively, in quantities corresponding with the grant for each, and shall be disposed of only as the work progresses, and shall be applied to no other purpose whatsoever: *And provided further,* That any and all lands reserved to the United States by the act entitled "An act to grant a quantity of land to the State of Illinois, for the purpose of aiding in opening a canal to connect the waters of the Illinois River with those of Lake Michigan, approved March second, eighteen hundred and twenty-seven, be, and the same are hereby, reserved to the United States from the operations of this act.

Pre-emption rights secured.

Proviso.
Further proviso.

Further proviso.

Further proviso.

Price of lands remaining to the United States.

Lands granted to be used only

SEC. 3. *And be it further enacted,* That the sections and parts of sections of land which, by such grant, shall remain to the United States, within six miles on each side of said road and branches, shall not be sold for less than double the minimum price of the public lands when sold. (a)

SEC. 4. *And be it further enacted,* That the said lands hereby granted to the said State shall be subject to the disposal of the legislature

thereof, for the purposes aforesaid and no other; and the said railroad and branches shall be and remain a public highway, for the use of the Government of the United States, free from toll or other charge upon the transportation of any property or troops of the United States.

SEC. 5. *And be it further enacted*, That if the said railroad shall not be completed within ten years, the said State of Illinois shall be bound to pay to the United States the amount which may be received upon the sale of any part of said lands by said State, the title to the purchasers under said State remaining valid; and the title to the residue of said lands shall reinvest in the United States, to have and hold the same in the same manner as if this act had not been passed.

SEC. 6. *And be it further enacted*, That the United States mail shall at all times be transported on the said railroad under the direction of the Post-Office Department, at such price as the Congress may by law direct.

SEC. 7. *And be it further enacted*, That in order to aid in the continuation of said Central Railroad from the mouth of the Ohio River to the city of Mobile, all the rights, privileges, and liabilities hereinbefore conferred on the State of Illinois shall be granted to the States of Alabama and Mississippi respectively, for the purpose of aiding in the construction of a railroad from said city of Mobile to a point near the mouth of the Ohio River, and that public lands of the United States, to the same extent in proportion to the length of the road, on the same terms, limitations, and restrictions in every respect, shall be, and is hereby, granted to said States of Alabama and Mississippi respectively.

(a) See Nos. 328, 330, 332, 334, 336, 337, 338, 339, 341, 351, 360, 370, 374, 389, 433, 440.

No. 433.—AN ACT to protect actual settlers upon the land on the line of the Central Railroad and branches, by granting preëmption rights thereto.

August 2, 1852.
Vol. 10, p. 27.

Be it enacted, &c., That each and every person now an actual settler and occupant, and who, on the twentieth day of September, in the year of our Lord one thousand eight hundred and fifty, had made such an actual settlement and improvement as would have entitled him to a right of preëmption under the act of September fourth, eighteen hundred and forty-one, but for his failure to give the requisite notice under that law, or to file proof within due time, on any tract of land now owned by the United States, and situated within the limits reserved from sale by order of the Government, because of the grant of alternate sections to the States of Illinois, Mississippi, and Alabama, in aid of the construction of the Chicago and Mobile Railroad and branches, by virtue of an act of Congress, approved September twentieth, eighteen hundred and fifty, entitled, "An act granting the right of way and making a grant of land to the States of Illinois, Mississippi, and Alabama, in aid of the construction of a railroad from Chicago to Mobile,"

(a) shall have the right to purchase, at the price established by law in regulating the sales of said lands, a quantity of the tract so settled on and improved, not less than forty nor more than one hundred and sixty acres, in legal subdivisions, on which said improvements may be situated: *Provided*, That any person claiming the right to purchase under this act shall, before the actual offering of the tract at public sale, file with the register of the proper land office, a notice describing the land by its numbers, and make the necessary proof, affidavit, and payment for the land, within twelve months from the date of this act: *And provided further*, That the right of way upon and across any tract of land claimed under the provisions of this act, not exceeding two hundred feet in width, shall be reserved and retained for the said railroad and branches, as the same may be located and constructed. (b)

(a) See No. 432.

(b) See Nos. 328, 330, 332, 334, 336, 337, 338, 339, 341, 351, 360, 370, 374, 389, 432, 440.

No. 434.—AN ACT for the relief of Jean Baptiste Beaubien.

August 1, 1854.
Vol. 10, p. 805.

Be it enacted &c., That the Commissioner of the General Land Office be, and he is hereby, authorized to issue a patent or patents to Jean Baptiste Beaubien, for the following lots as described and numbered on the survey and plat of the Fort Dearborn addition to Chicago, in the State of Illinois, made under the order of the Secretary of War, and now on

Commissioner of General Land Office to issue patent or patents

to said Beaubien
for certain lots of
land in Illinois.
Lots.

file in the War Office, to wit: lots number one, two, three, four, five, and six, of block number four; all that part of lots numbered eight and nine, block number two, which lies south of the line of excavation, authorized by the act of Congress, approved twenty-first July, eighteen hundred and fifty-two; and all that part of lot number one, block number five, that lies within the following boundaries, to wit: commencing on the western line of said lot number one, block five, at a point ten feet north of the southern line thereof; thence east, parallel with said southern line two hundred and fifty feet to the western boundary of the lands granted by the United States to the Illinois Central Railroad Company; thence north, along said western boundary thirty-four feet to the northern line of said lot number one, block five, thence west along said northern line two hundred and fifty feet to the northwest corner thereof; thence south along the western line thereof thirty-four feet to the place of beginning.

August 3, 1854.
Vol. 10, p. 344.

No. 435.—AN ACT to authorize the State of Illinois to select the residue of the lands to which she is entitled under the act of second of March, eighteen hundred and twenty-seven, granting land to aid that State in opening a canal to connect the waters of the Illinois River with those of Lake Michigan.

Residue of land
granted by act of
1827, how select-
ed.

Be it enacted, &c. That the governor of the State of Illinois is hereby authorized to cause to be selected, the balance of the land to which that State is entitled under the provisions of the act of the second of March, eighteen hundred and twenty-seven, granting land to aid that State in opening a canal to connect the waters of the Illinois River with those of Lake Michigan, out of any of the unsold public land in the State subject to private entry at one dollar and twenty-five cents per acre, and not claimed by preëmption, the quantity to be ascertained upon the principles which governed the final adjustment of the grant to the State of Indiana for the Wabash and Erie Canal, under the provisions of the act of Congress approved the ninth of May, eighteen hundred and forty-eight. (a)

(a) See Nos. 358, 367, 385, 417.

August 4, 1854.
Vol. 10, p. 820.

No. 436.—AN ACT For the relief of Thomas C. Green.

Preamble.

Whereas, it satisfactorily appears that a bounty-land patent was issued on the twenty-ninth of November, one thousand eight hundred and seventeen, on militia land-warrant number nine thousand nine hundred and forty-two, to Charles Mullin, for the southwest quarter of section thirty-six in township eleven north, of range three west, in the military tract, Illinois; and on the twenty-second of July, one thousand eight hundred and eighteen, a patent for the same tract was issued in error to the heirs of Benjamin Knapp, on warrant number eight thousand nine hundred and thirteen, Knapp's warrant having been located on the southeast quarter of said section, and said quarter-section so located conveyed to one Thomas C. Green by said Knapp's heirs: Therefore—

Patent for
land to issue to
Thos. C. Green.

Be it enacted, &c., That the Commissioner of the General Land Office be, and he is hereby, required to issue a patent to Thomas C. Green for the southeast quarter-section above named; and that said patent recite the fact that the former one was filled out erroneously for the southwest quarter, and has been lost, and therefore a new patent has been issued to the grantee of said Knapp's heirs.

Jan. 24, 1855.
Vol. 10, p. 843.

No. 437.—AN ACT for the relief of David B. Sears.

David B. Sears
authorized to en-
ter certain land.

Be it enacted, &c., That David B. Sears be, and he is hereby, authorized to enter the fractional quarter-sections of land on Rock Island, in the Mississippi River and State of Illinois, necessary to secure to him the full and complete use of the water-power as now improved and used by him on the north side of said island; they being the east half of the southwest fractional quarter of fractional section twenty-nine, containing twenty-eight acres and ten-hundredths, the southeast fractional quarter of the same fractional section, containing four acres and nine hundredths, and the northeast fractional quarter of fractional section

thirty-two, containing three acres and twenty-six hundredths, all of which are situated in township eighteen north of the base line, range one west of the fourth principal meridian, upon his paying to the receiver of public moneys at Dixon, the minimum price of one dollar and twenty-five cents per acre for the same, upon which a final certificate and patent shall issue as in other cases.

No. 438.—AN ACT to continue the land offices at Vincennes, Indiana, and to ascertain and adjust the titles to certain lands in the States of Indiana and Illinois, formerly included within the Vincennes land district.

Aug. 18, 1856.
Vol. 11, p. 140.

[See INDIANA, No. 312.]

No. 439.—AN ACT for the relief of Isaac Body and Samuel Fleming.

June 5, 1852.
Vol. 11, p. 539.

Be it enacted, &c., That Isaac Body be allowed to enter at the land office at Springfield, Illinois, at the minimum price, at any time within one year after the date of this act, the southeast quarter of section number nineteen of township number twenty-six north, of range twelve west; and that Samuel Fleming be allowed to enter, at the same land office, and on the same terms and conditions, the northwest quarter of section twenty, township twenty-six north, range twelve west: *Provided, however,* That this act shall only operate as a relinquishment of title on the part of the United States. (a).

Isaac Body and Samuel Fleming may enter at land office at Springfield, Ills., within a year a quarter-section of land each.
Proviso.

(a) See No. 441.

No. 440.—AN ACT for the relief of settlers on certain lands in the State of Illinois.

June 11, 1853.
Vol. 11, p. 313.

Be it enacted, &c., That every settler on any of the public lands heretofore selected by [the] State of Illinois, but which have not been confirmed to said State, under the provisions of the act of fourth September, eighteen hundred and forty-one, who settled thereon in good faith prior to the passage of this act, shall be entitled to preëempt their respective claims by legal subdivisions, not to exceed one hundred and sixty acres in a compact body, at the ordinary minimum of one dollar and twenty-five cents per acre, unless within the six-mile limits of any railroad grant, and in that case at the usual double minimum of two dollars and fifty cents per acre: *Provided,* Such settlers shall establish their rights according to the rules and regulations prescribed under the provisions of the act of fourth September, eighteen hundred and forty-one, and pay for the same within three months from the date of the publication of this act by the register of the proper district: *Provided,* That no declaratory statement shall be required to be filed by such settlers. (a)

Settlers bona fide on public lands selected by, but not confirmed to, the State of Illinois, may pre-empt their claims, &c.

Proviso.

(a) See Nos. 328, 330, 332, 334, 336, 337, 338, 339, 341, 351, 360, 370, 374, 389, 432, 433.

No. 441.—JOINT RESOLUTION to correct a clerical error in "An act for the relief of Isaac Body and Samuel Fleming."

Feb. 5, 1859.
Vol. 11, p. 571.

Resolved, &c., That the words "the northwest quarter of section twenty," where they occur in the "Act for the relief of Isaac Body and Samuel Fleming," approved June fifth, eighteen hundred and fifty-eight, shall read, and be held to mean, *the northwest quarter of section twenty-nine*, the word *nine* having been erroneously omitted from said act. (a)

Clerical error to be corrected in act for relief of Isaac Body and Samuel Fleming.

(a) See No. 439.

No. 442.—AN ACT for the relief of Anthony Schlander.

June 9, 1860.
Vol. 12, p. 851.

Be it enacted, &c., That the title of Anthony Schlander to the east half of the southeast quarter of section fifteen, in township thirty-four, north, of range thirteen east of the principal meridian, being in the Chicago land district, is hereby confirmed to him, and the Commissioner of the General Land Office is hereby authorized and directed to issue a patent to him therefor.

Land title of Anthony Schlander confirmed, and patent to issue.

SEC. 2. *And be it further enacted,* That all acts or parts of acts heretofore passed are hereby repealed, so far as they may, in any manner, interfere with the legal rights conferred by this act, and no further.

Repealing clause.

June 16, 1860.
Vol. 12, p. 44.

No. 443.—AN ACT for the relief of congressional township number two north, of range number nine west, of the fourth principal meridian, in Adams County, State of Illinois.

Preamble.

Whereas section number sixteen in township number two north, of range nine west, of the fourth principal meridian, in Adams County, Illinois, is located in a lake, or pond, and is in consequence thereof wholly unfit for cultivation, and is worthless to the inhabitants of said township for school purposes: Therefore,

School trustees may select certain land.

Be it enacted, &c., That the school trustees for the said township be, and they are hereby, authorized to select one section of land in legal subdivisions of any of the public lands of the United States subject to entry or sale at the minimum price of one dollar and twenty-five cents per acre.

Patent to issue therefor.

SEC. 2. *And be it further enacted,* That when the same shall have been selected by the trustees aforesaid, and a description thereof returned to and approved by the Commissioner of the General Land Office, a patent or patents shall issue therefor to the inhabitants of the said congressional township, and shall be held and disposed of by them for the use of schools within the said congressional township in the same manner as other school lands are held and disposed of.

Land to be held for use of schools.

Former grant to revert to the United States.

SEC. 3. *And be it further enacted,* That the said section sixteen in the township aforesaid shall revert to and invest in the United States, and be disposed of in the same manner as other public lands. (a)

(a) See Nos. 337, 338, 342, 346, 356, 408, 413, 418, 444.

June 22, 1860.
Vol. 12, p. 84.

No. 444.—AN ACT for the relief of congressional township number six south, of range number eight west, in Randolph County, State of Illinois.

Preamble.

Whereas section number sixteen, in township number six south, of range number eight west, in Randolph County, Illinois, is covered by a private claim number two thousand and fifty, by reason whereof the said section has been lost to the said congressional township for school purposes: Therefore—

School trustees may select three quarter-sections, &c., in lieu of land lost.

Be it enacted, &c., That the school trustees for the said township be, and they are hereby, authorized to select three quarter-sections of land in equal subdivisions, of any of the public lands of the United States subject to entry or sale at the minimum price of one dollar and twenty-five cents per acre.

Patent to issue therefor.

SEC. 2. *And be it further enacted,* That when the same shall have been selected by the trustees aforesaid, and a description thereof returned to and approved by the Commissioner of the General Land Office, a patent or patents shall issue thereof to the inhabitants of the said congressional township, and shall be held and disposed of by them for the use of schools within the said congressional township in the same manner as other school lands are held and disposed of. (a)

(a) See Nos. 337, 338, 342, 346, 356, 408, 413, 418, 443.

March 2, 1861.
Vol. 12, p. 891.

No. 445.—AN ACT for the confirmation of the title to the saline lands in Jackson County, State of Illinois, to D. H. Brush, and others.

Title to saline lands in Jackson County, Illinois, confirmed to D. H. Brush.

Be it enacted, &c., That the title to all the lands sold as saline lands in Jackson County, State of Illinois, as follows, to D. H. Brush and others, namely: To D. H. Brush, the northwest, northeast, and southwest quarters of the southwest quarter of section eight, township nine, of range two; southwest and southeast quarters of the northeast quarter, northwest and northeast quarters of the southeast quarter, southeast quarter of the southwest quarter, and southwest and southeast quarters of the southeast quarter of section one, township nine, of range three: To Edward Holden, the northeast, southeast, northwest and southwest quarters of the southeast quarter of section seven, township nine, of range two; northwest, southwest, and northeast quarters of the northwest quarter of section one, township nine, of range three: To Joseph Sorrels, the northwest and northeast quarters of the southwest quarter of section seven, township nine, of range two; To Daniel Worthen, the southwest quarter of the southwest quarter of section seven, township nine, of range two; northeast quarter of the northwest quarter, and northwest quarter of the northeast quarter of section one, township nine, of range three: To William Qualls, the southeast quarter of the southwest quarter of

Edward Holden.

Joseph Sorrels.

Daniel Worthen.

Wm. Qualls.

section eight, township nine, of range two: To William Woolsey, the southeast quarter of the southeast quarter of section seven, township nine, of range two: To Richard Worthen, the west half of the northwest quarter of the southwest quarter of section one, township nine, of range three: To George Elmore, the northwest and northeast quarters of the northwest quarter, and southeast quarter of the southwest quarter of section thirty-five, township eight, of range three: To Alexander Morris, the southwest and southeast quarters of the northeast quarter of section thirty-five, township eight, of range three: To Doctor Logan, the northwest quarter of the northwest quarter of section thirty-one, township eight, of range two: To John G. Sparks, the northwest and northeast quarters of the southeast quarter of section thirty-one, township eight, of range two: To Stephen Holliday, the southwest quarter of the southeast quarter of the southeast quarter of section thirty-one, township eight, of range two: To Isaac Morgan, the southwest quarter of the northwest quarter of section thirty-five, township eight, of range three: To A. Crow, the northeast quarter of the northeast quarter, of section one, township nine, of range three: To William Woolsey, the northeast quarter of the northwest quarter, and the northwest quarter of the northeast quarter of section thirty-one, township eight, of range two: To T. M. Logan, the northeast and southwest quarters of the northeast quarter of section thirty-one, township eight, of range two: To Edward Holden, the southwest quarter of the northwest quarter, and the northwest and northeast quarters of the southwest quarter of section thirty-one, township eight, of range two: To John Logan, the southwest and southeast quarters of the southwest quarter of section thirty-one, township eight, of range two: To Cyrus Thomas, the northeast quarter of the northwest quarter of section thirty-one, township eight, of range two: To Edward Holden, the southwest quarter of the northwest quarter, and the northeast and northwest quarters of the southwest quarter of section thirty-one, township eight, of range two: To Hall Neilson, the southwest quarter, and east half of the northwest quarter of the southwest quarter of section one, township nine, of range three: To Richard Worthen, the southwest quarter of the northeast quarter of section thirty-five, township eight, of range three: and to John Sorrels, the northeast quarter of the northeast quarter of section thirty-five, township eight, of range three, be, and the same is hereby, confirmed to the several purchasers herein mentioned, (from the county of Jackson, and State of Illinois,) and be as valid as if originally purchased from the United States of America. (a)

(a) See Nos. 342, 346, 360, 375, 379, 426.

Wm. Woolsey.
Richard Worthen.
Geo. Elmore.
Alexander Morris.
Doctor Logan.
Jno. G. Sparks.
Stephen Holliday.
Isaac Morgan.
A. Crow.
Wm. Woolsey.
T. M. Logan.
Edward Holden.
John Logan.
Cyrus Thomas.
Edward Holden.
Hall Neilson.
Richard Worthen.
John Sorrels.

No. 446.—AN ACT confirming title to "Little Rock Island," in the Mississippi River.

Jan. 30, 1869.
Vol. 15, p. 437.

Whereas, according to the official plat of the survey of the public land returned to the General Land Office by the surveyor-general, a certain island, in the Mississippi River, known as Little Rock Island, and situate opposite the city of Clinton, in the State of Iowa, was surveyed and platted as being within the district of lands subject to entry and sale at the Government land office at Dubuque, in the Territory of Iowa; and whereas said island was entered by Jonathan L. Pearce, junior, at said Government land office at Dubuque, as appears by cash certificate number three thousand three hundred and twenty-six, and was subsequently granted by the United States to said Jonathan L. Pearce, junior, by letters-patent, dated the first day of January, A. D. eighteen hundred and forty-six, and recorded in volume seven, page two hundred and ten, of patents, in which said letters-patent said island is described as being "Little Rock Island, in the Mississippi River, in township eighty-one north, of range seven east, of the fifth principal meridian, in the district of lands subject to sale at Dubuque, Iowa Territory, containing thirty-nine acres and four hundredths of an acre;" and whereas said island is situated east of the main channel of the Mississippi River, in the State of Illinois, in the district of lands subject to sale at Springfield, in said Illinois: Now, therefore,

Be it enacted &c., That the title to the said island be, and the same is hereby, ratified and confirmed to the said Jonathan L. Pearce, junior, and his grantees, fully, in like manner and effect, and in all respects to the same intent and purpose, as if the laws of the United States respect-

Preamble.

Title to Little Rock Island confirmed to Jonathan L. Pearce, jr.

Proviso. ing the survey, entry, and sale of the public land had been fully and in every respect complied with and observed: *Provided*, That this act shall not be construed to deprive any other person of any right or title to said land acquired from the United States.

July 15, 1870.
Vol. 16, p. 364.

No. 447.—AN ACT to confirm title to certain lands in Illinois.

Be it enacted, &c., That the title of the United States to all lots, outlots, tracts, pieces, parcels, and strips of land in St. Clair County, State of Illinois, lying and situate outside of the United States surveys as noted in the field-notes of the United States surveyors, and on the Mississippi River near surveys seven hundred and sixty-six, six hundred and twenty-four, and five hundred and seventy-nine, and near and adjacent to fractional sections one, two, eleven, and twelve, town[ship] one north, range ten west, third principal meridian, be, and the same is hereby, confirmed and granted to said St. Clair County, in said State: *Provided*, That nothing herein shall apply to the ancient French commons in said county. (a)

Proviso.

(a) See No. 448.

Feb. 18, 1871.
Vol. 16, p. 416.

No. 448.—AN ACT to amend an act entitled "An act to confirm title to certain lands in Illinois."

Lands in Illinois.
Amendment of former act.

Be it enacted, &c., That the description of the lands mentioned in said act be so amended as to read township two north, instead of "township one north." (a)

(a) See No. 447.

July 31, 1876.
Vol. 19, p. 121.

No. 449.—AN ACT making appropriations, &c.

[Land office at Springfield abolished. See OHIO, No. 189.]

March 3, 1877.
Vol. 19, p. 515.

No. 450.—AN ACT for the relief of the legal representatives of Zachariah B. Washburn deceased.

Preamble.

Whereas, on the twentieth day of January, eighteen hundred and thirty-six, the said Zachariah B. Washburn did enter and purchase, of the proper officers, the west part of the northeast fractional quarter of section twenty-four, in township eighteen north, of range eleven west, of the second principal meridian, in the district of public lands then subject to sale at Danville, in the State of Illinois, and did thereupon receive a certificate of purchase therefor in which the said land was erroneously described as the northwest fractional quarter of said section twenty-four, and also a patent therefor was afterward issued to the said Washburn, in which the said lot of land was also erroneously described as aforesaid: Therefore,

Land patent to Zachariah B. Washburn.

Be it enacted, &c., That the Commissioner of the General Land Office issue to the legal representatives of the said Zachariah B. Washburn a patent for the said west part of the northeast quarter of said section twenty-four, in the township and range aforesaid, and that the preamble above herein be recited in said patent.

MICHIGAN.

No. 451.—AN ACT to divide the Indiana Territory into two separate governments.

Jan. 11, 1805.
Vol. 2, p. 309.

Be it enacted, &c., That from and after the thirtieth day of June next, all that part of the Indiana Territory, which lies north of a line drawn east from the southerly bend or extreme of Lake Michigan, until it shall intersect Lake Erie, and east of a line drawn from the said southerly bend through the middle of said lake to its northern extremity, and thence due north to the northern boundary of the United States, shall, for the purpose of temporary government, constitute a separate territory, and be called Michigan.

Territory of Michigan taken from the Indiana Territory. Boundaries of the new Territory and commencement of a temporary government for it. Its government.

SEC. 2. *And be it further enacted,* That there shall be established within the said Territory, a government in all respects similar to that provided by the ordinance of Congress, passed on the thirteenth day of July, one thousand seven hundred and eighty-seven, for the government of the territory of the United States, northwest of the river Ohio; and by an act passed on the seventh day of August, one thousand seven hundred and eighty-nine, entitled "An act to provide for the government of the territory northwest of the river Ohio;" and the inhabitants thereof shall be entitled to, and enjoy all and singular the rights, privileges, and advantages granted and secured to the people of the territory of the United States, northwest of the river Ohio, by the said ordinance.

SEC. 6. *And be it further enacted,* That Detroit shall be the seat of government of the said territory, until Congress shall otherwise direct. (a)

Detroit made the seat of government.

(a) See Nos. 450, 462, 473, 487, 491, 492, 497, 498, 499, 511, 512.

No. 452.—AN ACT supplementary to the act, intituled "An act making provision for the disposal of the public lands in the Indiana Territory," and for other purposes.

March 3, 1805.
Vol. 2, p. 343.

[See INDIANA, No. 197.]

No. 453.—AN ACT to provide for the adjustment of titles of land in the town of Detroit and Territory of Michigan, and for other purposes.

April 21, 1806.
Vol. 2, p. 398.

Be it enacted, &c., That the governor and the judges of the Territory of Michigan shall be, and they, or any three of them, are hereby authorized to lay out a town, including the whole of the old town of Detroit, and ten thousand acres adjacent, excepting such parts as the President of the United States shall direct to be reserved for the use of the Military Department, and shall hear, examine, and finally adjust all claims to lots therein, and give deeds for the same. And to every person, or the legal representative or representatives of every person, who not owning or professing allegiance to any foreign power, and being above the age of seventeen years, did on the eleventh day of June, one thousand eight hundred and five, when the old town of Detroit was burnt, own or inhabit a house in the same, there shall be granted by the governor and the judges aforesaid, or any three of them, and where they shall judge most proper, a lot not exceeding the quantity of five thousand square feet.

A town to be laid out by the governor and judges of Michigan.

Titles to lots to be adjusted and settled by them.

Lots to be given to actual settlers of the town of Detroit when it was burnt, if they were citizens of the United States.

SEC. 2. *And be it further enacted,* That the land remaining of the said ten thousand acres, after satisfying claims provided for by the preceding section, shall be disposed of by the governor and judges aforesaid, at their discretion, to the best advantage, who are hereby authorized to make deeds to purchasers thereof, and the proceeds of the lands so dis-

Land undisposed of according to the preceding section to be sold by the governor and judges.

posed of shall be applied by the governor and judges aforesaid towards building a court-house and jail in the town of Detroit, and the said governor and judges are required to make a report to Congress, in writing, of their proceedings under this act. (a)

(a) See Nos. 468, 471, 479, 481, 501, 583.

March 3, 1807.
Vol. 2, p. 437.

No. 454.—AN ACT regulating the grants of land in the Territory of Michigan.

Certain decisions of commissioners confirmed.

Be it enacted, &c., That all the decisions made by the commissioners appointed for the purpose of examining the claims of persons claiming lands in the district of Detroit, in favor of such claimants, as entered in the transcript of decisions which have been transmitted by the said commissioners, to the Secretary of the Treasury, according to law, be, and the same are hereby confirmed.

Persons in occupation of land in Michigan, to which Indian title has been extinguished, confirmed in their titles as of estates of inheritance, in fee-simple.

SEC. 2. *And be it further enacted*, That to every person or persons in the actual possession, occupancy, and improvement, of any tract or parcel of land, in his, her, or their own right, at the time of the passing of this act, within that part of the Territory of Michigan, to which the Indian title has been extinguished, and which said tract or parcel of land was settled, occupied and improved, by him, her, or them, prior to and on the first day of July, one thousand seven hundred and ninety-six, or by some other person or persons, under whom he, she, or they hold or claim the right to the occupancy, or possession thereof, and which said occupancy or possession has been continued to the time of the passing of this act; the said tract or parcel of land thus possessed, occupied, and improved, shall be granted, and such occupant or occupants shall be confirmed in the title to the same, as an estate of inheritance, in fee-simple: *Provided however*, that no other claims shall be confirmed, by virtue of this section, than such as have been entered with the register of the land office of Detroit, within the time, and in the manner provided by law, and by the commissioners aforesaid, have been inserted in their report, transmitted as aforesaid; nor shall more than one tract or parcel of land be thus granted to any one person, and the same shall not contain more than the quantity claimed, nor more than six hundred and forty acres: *And provided also*, that the same shall not extend to any tract heretofore reserved, or which may by the President of the United States, be set aside for public uses, in the town of Detroit and its vicinity, or on the island of Michilimackinac.

Proviso.

Proviso.

Secretary of Michigan, and the register and receiver of public moneys of the land office of Detroit, made commissioners for claims, &c.

Their oath of office.

SEC. 3. *And be it further enacted*, That the secretary of the Territory of Michigan, together with the register and receiver of public monies of the land office of Detroit, shall be commissioners for the purpose of ascertaining and deciding on the rights of persons claiming the benefit of this act: and the said commissioners shall, previous to entering on the duties of their appointment, respectively take and subscribe the following oath or affirmation, before some person qualified to administer the same: I

do solemnly swear (or affirm) that I will impartially exercise and discharge the duties imposed upon me, by an act of Congress, intitled "An act regulating the grants of land in the Territory of Michigan." And it shall be the duty of the said commissioners to meet at the town of Detroit, on or before the first day of July next, and they shall not adjourn to any other place, or for any longer time, than three days, until the first day of January next, or until they shall have completed the business of their appointment. And the said com-

Powers and duties of the commissioners.

missioners, or a majority of them, shall have power to hear and decide in a summary manner, all matters respecting such claims, to compel the attendance of witnesses, to administer oaths and examine witnesses, and such other testimony as may be adduced, and to determine thereon according to justice and equity. Minutes of the proceedings, decisions, meetings, and adjournments of the board, shall be regularly entered by the register, in a book to be kept for that purpose, together with the evidence on which such decisions are made, unless such evidence has already been entered according to law, in the book or books of minutes, kept by the commissioners appointed under former acts, to investigate the claims to land in the district of Detroit. And when it shall appear to the said commissioners that the claimant is entitled to a tract of land by virtue of this act, they shall give a certificate thereof stating the circumstances of the case, and that the claimant is entitled to receive a patent for such a tract of land, by virtue of this act; which tract shall be surveyed in conformity with the decision of the commissioners, at the

Lands to be surveyed, &c.

expense of the party, and under the direction of the surveyor-general by such of his assistants, residing in the Territory of Michigan, as the said surveyor-general shall appoint for that purpose: *Provided*, That the whole expense of surveying and marking the lines, shall not exceed three dollars for every mile that shall be actually run, surveyed, or marked. The surveyor-general shall transmit to the register of the land office at Detroit, general and particular plots of all the lands surveyed as aforesaid, and shall also forward copies of the said plots to the Secretary of the Treasury. The commissioners shall transmit to the Secretary of the Treasury a transcript of their decisions in favour of claimants, which shall contain a fair statement of the evidence on which each respective claim is founded, and shall be signed by the said commissioners, and shall state the names of the parties in whose favour the certificates have been granted, the number of acres granted and the situation of the land. And the certificate and certificates granted as aforesaid, by the commissioners, being duly entered with the register of the land office of Detroit, prior to the first day of January, one thousand eight hundred and nine, shall entitle the party or parties, as soon as the plot or plots aforesaid, shall have been transmitted to the said register, to receive from him a certificate or certificates, for each of which certificates the register shall receive one dollar, directed to the Secretary of the Treasury; and if it shall appear to the satisfaction of the said Secretary, that such certificates have been fairly obtained according to the true intent and meaning of this act, then and in that case, patents shall issue, in like manner as is provided by law, for the other lands of the United States. (a)

By whom.

Proviso.

General and particular plots to be sent by the surveyor-general to the register of land office at Detroit, and copies also to Secretary of Treasury

Transcripts of commissioners' decisions to be likewise forwarded to Secretary of Treasury.

Certificates of commissioners to give titles to land, &c.

Fees to be paid for certificates.

SEC. 4. *And be it further enacted*, That the powers vested by this act in the commissioners above mentioned shall not extend to lots in the town of Detroit, the claims to which shall be ascertained and decided upon, in the manner provided by the act, intituled "An act to provide for the adjustment of titles of land in the town of Detroit, and Territory of Michigan, and for other purposes."

Powers of commissioners not extended to lots in town of Detroit.

SEC. 5. *And be it further enacted*, That the secretary of the Territory of Michigan shall be entitled to receive five hundred dollars, in full for all the services rendered by him under this act, to be paid out the sums which have been, or may be appropriated for carrying into effect the several laws enacted for the disposal of public lands, and for the adjustment of claims in the Indiana or Michigan Territories.

Compensation to secretary of Michigan, for services under this act.

Out of what fund to be paid.

(a) See Nos. 197, 455, 457, 461, 464, 466, 474, 514, 532.

No. 455.—AN ACT supplemental to "An act regulating the grants of land in the Territory of Michigan."

April 25, 1808.
Vol. 2, p. 502.

Be it enacted, &c., That every person claiming lands, within that part of the Michigan Territory to which the Indian title hath been extinguished by virtue of any legal grant made by the French Government prior to the treaty of Paris of the tenth of February, one thousand seven hundred and sixty-three; or of any legal grant made by the British Government subsequent to the said treaty, and prior to the treaty of peace between the United States and Great Britain, of the third of September, one thousand seven hundred and eighty-three, or of the second section of the act to which this act is a supplement, shall be allowed until the first day of January next, to deliver to the register of the land office for the district of Detroit, a notice in writing, stating the nature and extent of his claims, together with a plat or plats of the tract or tracts claimed, and if such person shall fail to deliver such notice in writing, together with a plat of the tract claimed, all his right, so far as it may be derived from any act of Congress, shall become void, and the commissioners appointed for the purpose of ascertaining and deciding the rights of persons claiming lands in the said district of Detroit, shall have the same powers and perform the duties in relation to the claims, notices of which shall be thus filed, as are provided by the act to which this act is a supplement, in relation to the claims therein described.

Claimants to land in the Michigan Territory, where the Indian title has been extinguished, allowed until the first of January next, to deliver to the register a notice of their claims.

SEC. 2. *And be it further enacted*, That every person whose claim has been, or shall be confirmed by the commissioners aforesaid, to a tract of land bordering on the river Detroit, and not exceeding in depth forty arpens, French measure, shall be entitled to a preference in becoming the purchaser of any vacant tract of land adjacent to, and back of his own tract, not exceeding forty arpens, French measure, in depth, nor in quantity of land that which is contained in his own tract, at the same

Persons whose claims are established entitled to a preference in becoming the purchasers of the contiguous vacant lands.

price, and on the same terms and conditions as are provided by law for the other public lands in the said district. And the surveyor-general shall be, and he is hereby authorized, as soon as may be, to cause to be surveyed, the tracts claimed by virtue of this section, and in all cases where, by reason of bends in the said river, and of adjacent prior, or pre-emption claims, each claimant cannot obtain a tract equal in quantity to the adjacent tract already owned by him, to divide the vacant land, applicable to that object, between the several claimants, in such manner as to him will appear most equitable. And every person entitled to the benefit of this section, shall, on or before the first day of January next, deliver to the register of the land office for the district of Detroit, a notice in writing, stating the situation and extent of the tract of land he wishes to purchase, and deposit at the same time one-twentieth part of the purchase money; and shall also, within three months after the return of the survey to the office of the said register, produce to him a receipt from the receiver of public money for the said district for one-fourth part of the purchase money. And if any such person shall fail to deliver such notice, and make such deposit and payment, at the times above mentioned, his right of pre-emption shall cease, and become void. (a)

Surveyor-general to cause surveys to be made.

Every person entitled to the benefit of this section to give notice in writing to the register.

Pre-emption right secured to actual settlers.

Notice in writing to be given of the situation and extent of the land to be purchased.

Repeal of part of a former act.

Lands to which Indian title was extinguished by treaty of Detroit to be attached to district of Detroit, and sold, &c.

SEC. 3. *And be it further enacted*, That every person, who being the head of a family, did, prior to the twenty-sixth of March, one thousand eight hundred and four, and doth, at the time of the passage of this act, inhabit and cultivate a tract of land in the Territory of Michigan, not claimed by virtue of a legal French or British grant, or by the second section of the act to which this act is a supplement, shall be entitled to a preference, in becoming the purchaser from the United States of such tract of land not exceeding one section, at the price at which the other public lands in the said Territory are directed to be sold; and payment may be made therefor in the same manner, and under the same conditions, as are provided by law for such other public lands. And every person entitled to the benefit of this section, shall, on or before the first day of January, next, deliver to [the] register of the land office, for the district aforesaid, a notice in writing, of the situation and extent of the tract of land he wishes to purchase. The commissioners aforesaid are hereby authorized to examine and decide the claims, of every person claiming the benefit of this section, and whenever it shall appear to them that the claimant is entitled to a right of pre-emption they shall give a certificate thereof, directed to the register of the land office, which certificate, together with a receipt from the receiver of public money, of at least one-fourth part of the purchase money, shall, on, or before the first day of January, next, be produced by the claimant to the register of the land office for the said district. And if any person shall fail to deliver such notice in writing, or produce such certificate and receipt within the times above mentioned, his right of pre-emption shall cease, and become void. (b)

SEC. 4. *And be it further enacted*, That so much of the second section of the act to which this act is a supplement, as provides that not more than one tract or parcel of land shall be granted to any one person, shall be, and the same is hereby repealed.

SEC. 5. *And be it further enacted*, That the lands to which the Indian title has been extinguished, by the treaty made at Detroit, on the seventeenth of November, one thousand eight hundred and seven, shall be attached to and made a part of the district of Detroit, and be offered for sale at that place, under the same exceptions and regulations, at the same price, and on the same terms, as other lands lying in that district. (c)

(a) See Nos. 197, 454, 457, 461, 464, 466, 474, 514, 532.

(b) See Nos. 85, 197, 467, 480, 503, 515, 526, 535, 574, 575, 583, 584.

(c) See Nos. 196, 197, 465, 467, 469, 480, 484, 486, 490a, 503, 515, 522, 525a, 529, 536.

Feb. 28, 1809.
Vol. 2, p. 527.

No. 456.—AN ACT for the relief of certain Alabama and Wyandott Indians.

Be it enacted, &c., That the President of the United States be, and he is hereby authorized to cause to be surveyed and designated by proper metes and bounds, a tract of land, not exceeding two thousand five hundred acres, out of any lands of the United States, lying in the Territory of Orleans, and west of the river Mississippi, and by lease vest the said tract of land in a certain tribe of Alabama Indians and

their descendants, for the term of fifty years: *Provided nevertheless*, That it shall not be lawful for the said tribe of Indians to transfer or assign their interest in the said land, and every such transfer, or assignment, shall be null and void: *And provided also*, That if the said tribe of Indians shall remove from the said tract of land, their interest in, and to, the same shall thenceforth cease and determine. Proviso.

SEC. 2. *And be it further enacted*, That there shall be designated, under the direction of the Secretary of the Treasury, two tracts of land in the Michigan Territory, one including the village called Brown's town, and the other the village called Maguaga in the possession of the Wyandott tribe of Indians, containing in the whole not more than five thousand acres; which two tracts of land shall be reserved for the use of the said Wyandotts, and their descendants, and be secured to them in the same manner, and on the same terms and conditions as is provided in relation to the Alabama Indians, by the first section of this act. (a) Proviso.

(a) See No. 503.

No. 457.—AN ACT to authorize the granting of patents for land, according to the surveys that have been made; and to grant donation rights to certain claimants of land in the district of Detroit, and for other purposes.

April 23, 1812.
Vol. 2, p. 710.

Be it enacted, &c., That patents shall be granted to the persons whose claims to land have been confirmed in the district of Detroit, in conformity to the surveys which have been made under the direction of the surveyor-general, and the general plat of which has been returned to the Secretary of the Treasury, notwithstanding the surveys shall not, in every respect, correspond with the description of the tracts as confirmed by the commissioners for adjusting land claims in the said district: *Provided*, That the confirmation of the commissioners and certificate of the register shall, in every other respect, be conformable to law. Patents to be granted to persons whose claims have been confirmed.

SEC. 2. *And be it further enacted*, That every person, whose claim has been confirmed by the commissioners aforesaid to a tract of land bordering on the river Detroit, and whose tract, as confirmed, does not extend in depth eighty arpens, French measure, shall be entitled to a donation of any vacant tract of land adjacent to and back of the land confirmed to him as aforesaid, provided that such donation shall not exceed forty arpens, French measure, in depth, nor in quantity of land that contained in the tract already confirmed to him, nor shall in any case the tract confirmed as aforesaid, and that allowed as a donation, together exceed eighty arpens, French measure, in depth, and in all cases where, by reason of bends in the said river, and of adjacent prior claims, each claimant cannot obtain a tract equal in quantity to the tract already confirmed to him, the vacant land applicable to the object shall be divided between the claimants in such manner as shall appear to the commissioners for adjusting the claims most equitable. And every person claiming a donation in virtue of this section shall, on or before the first day of December next, deliver to the register of the land office at Detroit, a notice, in writing, of the situation and extent of his claim, which he shall file in his office on receiving twenty-five cents from the party or parties for each claim; and if such person shall neglect to deliver such notice within the time limited, his right to a donation, under this section, shall become void. And the commissioners for adjusting claims to land in the said district shall, as soon as may be after the first of December next, proceed to examine and decide, according to the provisions of this section, on the claims filed as aforesaid; and when it shall appear to the said commissioners that the claimant is entitled to a donation of land, they shall give a certificate stating the circumstances of the case, and that the claimant is entitled to receive a patent for such a tract of land by virtue of this section, which tract shall be surveyed in conformity with the decision of the commissioners, at the expense of the party, under the direction of the surveyor-general, by such of his assistants residing in the said district as the said surveyor-general shall appoint for that purpose. The expense of surveying shall be the same, and the plats of surveys and transcript of the decisions of the commissioners in favor of claimants shall be made and transmitted to the Secretary of the Treasury in the same manner; and the certificates granted by the commissioners shall be entered with the register of the land office, and certificates of the register be granted to the party or parties on payment of the same fees, and patents granted, in every respect, in the same manner as is directed by the third section Proviso, that the confirmation shall be conformable to law.

Donations of vacant lands, how regulated.

Where bends of the river, an equal quantity to be granted, as commissioners may determine.

Commissioners to give a certificate.

of an act, entitled "An act regulating the grants of land in the Territory of Michigan," passed the third day of March, one thousand eight hundred and seven.

Heirs of Joseph Harrison may be permitted to make an entry in the land office for the district of Detroit.

SEC. 3. *And be it further enacted*, That the heirs of Joseph Harrison, late of Detroit, deceased, be permitted to enter with the register of the land office, for the district of Detroit, their claim to any tract or tracts of land in the said district; and such entry shall have the same effect, and the commissioners shall have the same powers, and act thereon in the same manner, as if the entry had been made before the first day of January, one thousand eight hundred and nine; and in case of a decision in favour of their claim or claims, a patent or patents shall be granted for the lands so claimed and confirmed to them, any law to the contrary notwithstanding. (a)

(a) See Nos. 197, 454, 455, 461, 464, 466, 474, 514, 532.

May 6, 1812.
Vol. 2, p. 728.

No. 458.—AN ACT to provide for designating, surveying and granting the military bounty lands.

Lands set apart for satisfying military bounty claims not exceeding six millions of acres in Michigan, Illinois, and Louisiana.

Be it enacted, &c., That the President of the United States be, and he is hereby authorized to cause to be surveyed a quantity of the public lands of the United States, fit for cultivation, not otherwise appropriated, and to which the Indian title is extinguished, not exceeding in the whole six millions of acres, two millions to be surveyed in the Territory of Michigan, two millions in the Illinois Territory, north of the Illinois River, and two millions in the Territory of Louisiana, between the river St. Francis and the river Arkansas; the said lands to be divided into townships, and subdivided into sections and quarter-sections, (each quarter-section to contain, as near as possible, one hundred and sixty acres,) in the manner prescribed by law for surveying and subdividing the other public lands of the United States, (a) the same price to be allowed for surveying as is fixed for surveying the other public lands in the same territory. And the lands thus surveyed, with the exception of the salt springs (b) and lead mines (c) therein, and of the quantities of land adjacent thereto, as may be reserved for the use of the same by the President of the United States, and the section number sixteen in every township to be granted to the inhabitants of such township for the use of public schools, (d) shall be set apart and reserved for the purpose of satisfying the bounties of one hundred and sixty acres, promised to the non-commissioned officers and soldiers of the United States, their heirs and legal representatives, by the act, entitled "An act for completing the existing military establishment," approved the twenty-fourth day of December, one thousand eight hundred and eleven, and by the act, entitled "An act to raise an additional military force," approved the eleventh day of January, one thousand eight hundred and twelve.

Salt springs, &c., to be excepted.

Warrants to be issued by the Secretary of War.
Proviso.

SEC. 2. *And be it further enacted*, That the Secretary for the Department of War, for the time being, shall, from time to time, issue warrants for the military land bounties to the persons entitled thereto by the two last-mentioned acts, or either of them: *Provided always*, That such warrants shall be issued only in the names of the persons thus entitled, and be by them or their representatives applied for within five years after the said persons shall have become entitled thereto; and the said warrants shall not be assignable or transferable in any manner whatever.

Claims to be determined by lot.

SEC. 3. *And be it further enacted*, That every person in whose favour such warrants shall have been issued, shall, on delivery of the same at the office of the Secretary of the Treasury, or of such other officer as may at the time have, by law, the superintendence of the General Land Office of the United States at the seat of Government, be entitled to draw by lot in such manner as the officer, at the head of the Land Office, under the direction of the President of the United States, may prescribe, one of the quarter-sections surveyed by virtue of the first section of this act, in either of the said Territories which the person in whose favour such warrant has issued may designate. And a patent shall thereupon be granted to such person, for such quarter-section, without requiring any fee therefor.

A patent to be granted.

Claims for military land bounties not assignable as such.

SEC. 4. *And be it further enacted*, That no claim for the military land bounties aforesaid shall be assignable or transferable in any manner whatever, until after a patent shall have been granted in the manner aforesaid. All sales, mortgages, contracts, or agreements, of any nature

whatever, made prior thereto, for the purpose, or with intent of alienating, pledging or mortgaging any such claim, are hereby declared and shall be held null and void; nor shall any tract of land, granted as aforesaid, be liable to be taken in execution or sold on account of any such sale, mortgage, contract or agreement, or on account of any debt contracted prior to the date of the patent, either by the person originally entitled to the land or by his heirs or legal representatives, or by virtue of any process, or suit at law, or judgment of court against a person entitled to receive his patent as aforesaid. (e)

(a) See Nos. 11, 197, 460, 509, 513, 590.

(b) See Nos. 493, 516, 519.

(c) See Nos. 515, 518, 577.

(d) See Nos. 476, 493, 562, 586.

(e) See Nos. 460, 461a.

No. 459.—AN ACT to authorize the President of the United States to ascertain and designate certain boundaries.

May 20, 1812.
Vol. 2, p. 741.

[See OHIO, No. 57.]

No. 460.—AN ACT to authorize the survey of two millions of acres of public lands, in lieu of that quantity heretofore authorized to be surveyed in the Territory of Michigan, as military bounty lands.

April 29, 1816.
Vol. 3, p. 332.

[See ILLINOIS, No. 342.]

No. 461.—AN ACT allowing further time for entering donation rights to lands in the district of Detroit.

March 3, 1817.
Vol. 3, p. 390.

Be it enacted, &c., That the claimants to certain donation rights to land in the district of Detroit, granted by the second [section] of an act, entitled "An act to authorize the granting of patents for land, according to the surveys that have been made, and to grant donation rights to certain claimants of land in the district of Detroit, and for other purposes," passed the twenty-third of April, one thousand eight hundred and twelve, be, and they are hereby, allowed until the first day of December, one thousand eight hundred and eighteen, to file their claims with the register of the land office, for the district aforesaid. (a)

The claimants to certain donation rights of land in the district of Detroit allowed until the 1st of Dec., 1818, to file their claims.

(a) See Nos. 197, 454, 455, 457, 464, 466, 474, 514, 532.

No. 461a.—AN ACT extending the time for obtaining military land-warrants in certain cases.

March 27, 1818.
Vol. 3, p. 411.

Be it enacted, &c., That the provision of the second section of the act, entitled "An act to provide for designating, surveying, and granting, the military bounty lands," passed on the sixth day of May, one thousand eight hundred and twelve, which limits the time within which persons entitled to military bounty lands shall make their application for a land warrant to five years from and after such person shall have become entitled thereto, shall not be construed to apply to, affect, or bar, any application for a military land-warrant, which may be made by the heirs and representatives of a deceased person, who was entitled thereto by services performed in the late war, or application by the heirs and representatives of any non-commissioned officer or soldier killed in action, or who died in the actual service of the United States, and entitled by existing laws to a bounty in lands; but the heirs and representatives of such persons shall be allowed to make their applications therefor at any time before the first day of May, one thousand eight hundred and twenty; any act to the contrary notwithstanding. (a)

The second section of the act referred to not to apply to the heirs, &c., of persons killed, &c.

The heirs, &c., of such persons may make applications until 1st May, 1820.

(a) See Nos. 458, 460.

No. 462.—AN ACT to enable the people of the Illinois Territory to form a constitution and State government, and for the admission of such State into the Union on an equal footing with the original States.

April 18, 1818.
Vol. 3, p. 428.

SEC. 7. *And be it further enacted,* That all that part of the territory of the United States lying north of the State of Indiana, and which was included in the former Indiana Territory, together with that part of the Illinois Territory which is situated north of and not included within

Additional territory added to Michigan after Illinois is formed into a State,

subject to the disposition of Congress, &c. the boundaries prescribed by this act, to the State thereby authorized to be formed, shall be, and hereby is, attached to, and made a part of the Michigan Territory, from and after the formation of the said State, subject, nevertheless, to be hereafter disposed of by Congress, according to the right reserved in the fifth article of the ordinance aforesaid, and the inhabitants therein shall be entitled to the same privileges and immunities, and subject to the same rules and regulations, in all respects, with the other citizens of the Michigan Territory. (a)

(a) See Nos. 451, 459, 473, 487, 491, 492, 497, 498, 499, 511, 512.

March 2, 1819.
Vol. 6, p. 228.

Land title confirmed.

Proviso.

No. 463.—AN ACT confirming the claim of Alexander Macomb to a tract of land in the Territory of Michigan.

Be it enacted, &c., That Alexander Macomb of the Territory of Michigan, be, and he hereby is, confirmed in his right and claim to a tract of land, being an island, situated in the mouth of Detroit River, known by the name of Stoney Island, which was formerly occupied and improved for the benefit of the heirs of William Macomb, deceased, under whom the said Alexander Macomb now claims title; and upon a regular plat and survey of the said island being returned into the office of the Commissioner of the General Land Office, a patent shall be granted for the aforesaid island or tract of land: *Provided*, That the confirmation and grant, to Alexander Macomb, hereby made and directed, shall not prejudice the legal claim (if such there be) of any other person to the same tract of land.

May 11, 1820.
Vol. 3, p. 572.

Powers of the commissioners for deciding on claims to lands in the district of Detroit, under act of 23d April, 1812, revived.

Commissioners to perform the duties prescribed.

And to examine and decide on claims filed, &c.

Report and transcripts to be transmitted to the Secretary of the Treasury, &c.

An agent capable of translating the French language.

Agent to give notice, and attend, &c.

Claimants to produce evidence, &c.

Agent to report to the commissioners, &c.

Commissioners to transmit report and transcripts to the Secretary of the Treasury, &c.

No. 464.—AN ACT to revive the powers of the commissioners for ascertaining and deciding on claims to land in the district of Detroit, and for settling the claims to land at Green Bay and Prairie des Chiens, in the Territory of Michigan.

Be it enacted, &c., That the powers of the commissioners for ascertaining and deciding on the rights of persons claiming lands in the district of Detroit, as defined by the second section of an act, entitled "An act to authorize the granting of patents for land according to the surveys that have been made, and to grant donation rights to certain claimants of land in the district of Detroit, and for other purposes," passed on the twenty-third of April, one thousand eight hundred and twelve, shall be, and are hereby, revived. And the said commissioners shall perform the duties therein prescribed, in relation to the claims which have been filed with the register of the land office for the said district, in pursuance of the act, entitled "An act allowing further time for entering donation rights to lands in the district of Detroit." And the said commissioners shall also have power to examine and decide, according to the laws respecting the same, the claims which have been filed with the register of the land office, and not heretofore decided on; and they shall transmit their report, and transcripts of their decisions, to the Secretary of the Treasury, to be laid before Congress, in the manner directed by former laws providing for the adjustment of such claims.

SEC. 2. *And be it further enacted*, That the said commissioners shall be, and they are hereby, authorized to employ, with the approbation of the Secretary of the Treasury, a person capable of translating the French language, as an agent, for the purpose of ascertaining the titles and claims to land at the settlements of Green Bay, and Prairie des Chiens.

It shall be the duty of the said agent to give public notice, at each of the said settlements, of the time and place therein, at which he shall attend for the purpose of receiving notices and evidence of titles and claims to lands within the same. And every person having title or claim to lands within the settlements aforesaid, shall produce the evidence of his title or claim to the said agent, who shall record the same in books to be kept for that purpose. And after the said agent shall have remained at the places aforesaid, a time sufficient for the inhabitants to produce the evidence of their claims, he shall make his report thereof to the said commissioners, who shall have power to examine and decide on the claims so reported to them, according to the laws for adjusting and settling the claims to land in the district of Detroit, except, that which relates to donations of vacant land adjacent to the land confirmed shall not be considered applicable to claims in the settlements aforesaid.

And the said commissioners shall transmit their report, and transcripts of their decisions, to the Secretary of the Treasury, on or before the

first of October, in the year one thousand eight hundred and twenty-one, to be laid before Congress at their next session thereafter, in the same manner as was directed by law in respect to the claims to lands in the district of Detroit.

SEC. 3. *And be it further enacted*, That the agent aforesaid shall take an oath for the faithful discharge of the duties enjoined on him; and he shall conform, in discharging the said duties, to such general instructions as shall be given him by the Secretary of the Treasury; and the said commissioners and agent shall each receive five hundred dollars, as full compensation for the services to be performed under this act, together with the recording fees to the agent, and allowance to the register, for a certificate of confirmation for donation rights provided for by former laws. (a)

Agent to take an oath.

Five hundred dollars for each commissioner and agent, with fees to agent and register.

(a) See Nos. 197, 454, 455, 457, 461, 466, 474, 514, 532.

No. 465.—AN ACT to annex certain lands within the Territory of Michigan to the district of Detroit.

May 11, 1820.
Vol. 3, p. 577.

Be it enacted, &c., That all the public lands of the United States within the Territory of Michigan, to which the Indian title was extinguished by the treaty held and concluded at Saguna, in the said Territory, on the twenty-fourth day of September, in the year one thousand eight hundred and nineteen, shall be, and hereby are, attached to, and made part of, the district of Detroit, in the said Territory.

Public lands, to which the Indian title was extinguished by the treaty of Saguna, attached to the district of Detroit.

The lands not reserved or appropriated, to be surveyed and offered for sale, &c.

SEC. 2. *And be it further enacted*, That the lands aforesaid, to which the Indian title has been extinguished, and which have not been reserved or appropriated by existing laws or treaties, shall be surveyed, and offered for sale, under the direction of the President of the United States, in the same manner, with the same reservations and exceptions, and upon the same terms and conditions in every respect, both at public and private sale, as are or may be provided by law, for the disposal of the other public lands within the said district. (a)

(a) See Nos. 196, 197, 455, 467, 469, 480, 464, 486, 490a, 503, 515, 522, 525a, 529, 536.

No. 466.—AN ACT to revive and continue in force certain acts for the adjustment of land claims in the Territory of Michigan.

Feb. 21, 1823.
Vol. 3, p. 724.

Be it enacted, &c., That the act entitled "An act to revive the powers of the commissioners for ascertaining and deciding on the claims to land in the district of Detroit, and for settling the claims to land at Green Bay and Prairie du Chien, in the Territory of Michigan," approved May the eleventh, one thousand eight hundred and twenty, shall be, and the same is hereby, revived, and shall continue in force until the first day of November next; and it shall be the duty of the said commissioners, as soon thereafter as may be, to forward their report, as is required by the second section of said act, to the Secretary of the Treasury, to be by him laid before Congress at its next session.

Act of May 11, 1820, revived, and continued in force till 1st November next.

Report of the commissioners to be laid before Congress.

SEC. 2. *And be it further enacted*, That the second section of the act, entitled "An act to authorize the granting of patents for land, according to the surveys that have been made, and to grant donation rights to certain claimants of land in the district of Detroit, and for other purposes," approved April twenty-third, one thousand eight hundred and twelve, shall be so construed as to embrace all persons who have claims confirmed below Milk River Point, at the lower end of Lake St. Clair.

Second section of the act of April 23, 1812, to embrace certain claims.

SEC. 3. *And be it further enacted*, That patents shall, and they are hereby directed to, be issued, in the mode pointed out by law in other cases, to persons whose claims to lands, town or village lots, have been regularly filed with the commissioners appointed by an act, entitled "An act to revive the powers of the commissioners for ascertaining and deciding on claims to land in the district of Detroit, and for settling the claims to land at Green Bay and Prairie du Chien, in the Territory of Michigan," passed on the eleventh day of May, one thousand eight hundred and twenty, and whose claims are contained in the report transmitted to the Secretary of the Treasury, and which have been reported favorably on by said commissioners: and such persons are hereby confirmed in their claims, agreeably to any surveys heretofore made, or the lines and boundaries established by the claimants respectively:

Patents to be issued to persons whose claims have been filed under the act of May 11, 1820.

Proviso.

Provided, That such confirmations shall only amount to a relinquishment forever, on the part of the United States, and that not more than six hundred and forty acres shall be confirmed by virtue of any one claim; nor shall more be confirmed, in any case, than the quantity claimed; nor shall any claim extend in width more than forty, nor in depth more than eighty, arpents; nor to land heretofore, and now, reserved by the United States for public uses.

Claimants removed by any officer of the United States Army, to have certificates for any tract of land, &c., which they have occupied after such removal.

SEC. 4. *And be it further enacted*, That wherever it shall appear to the said commissioners that any claimant to land, or a town or village lot, at Green Bay or Prairie du Chien, cannot establish his, her, or their, claim to the same, in consequence of his, her, or their, removal therefrom by any officer of the United States' Army, it shall be the duty of the said commissioners to issue a certificate to such person or persons, for any tract of land, or village lot, which may have been occupied by him, her, or them, after such removal, not exceeding, in quantity, that originally claimed; on which certificates patents shall issue, as in other cases; which claims shall be, in all other respects, subject to the restrictions and provisions of the third section of this act.

Occupants of land in Green Bay, Prairie du Chien, or Michilimackinaw, on July 1, 1812, who have continued to submit to the authority of the United States, or their legal representatives, to be confirmed in said land.

SEC. 5. *And be it further enacted*, That ever person who, on the first day of July, one thousand eight hundred and twelve, was a resident of Green Bay, Prairie du Chien, or within the county of Michilimackinaw, and who, on the said day, occupied and cultivated, or occupied a tract of land which had previously been cultivated by said occupant, lying within either of said settlements, and who has continued to submit to the authority of the United States, or to the legal representatives of every such person, shall be confirmed in the tract so occupied and cultivated; and the said commissioners, in the adjudicating on claims to land embraced by this act, are authorized to take into their consideration the evidence and facts collected and reported to them by the agents of the United States, pursuant to the provisions of the act of the eleventh of May, one thousand eight hundred and twenty, as well as such other and further evidence and testimony as may or shall be exhibited before them by the claimants, to support their claims: and the register of the land office at Detroit is authorized and required to receive and record all notices and claims to lands provided for by this act, and which shall be exhibited to him on or before the first day of October next: *Provided, however*, That no person shall be confirmed in a greater quantity than six hundred and forty acres; nor shall any tract, so confirmed, exceed eighty arpents from front to rear. And it shall be the duty of the surveyor-general of the United States, under the direction of the Secretary of the Treasury, to cause the land confirmed by this act to be surveyed, at the expense of the claimants, respectively; plats of which shall be returned, as in other cases, and patents therefor shall be granted to the several claimants in the manner prescribed by law. (a)

Proviso.

An additional sum to be allowed to persons carrying this law into effect.

SEC. 6. *And be it further enacted*, That the Secretary of the Treasury shall be, and he is hereby, authorized to allow to the former agent, and to each of the persons whose duty it is made to carry this law into effect, such sum, in addition to the sum allowed by the first-recited act, as he may deem just and reasonable.

(a) See Nos. 197, 454, 455, 457, 461, 464, 474, 514, 532.

March 3, 1823.
Vol. 3, p. 778.

No. 467.—AN ACT to establish an additional land office in the Territory of Michigan.

The President to designate a place for an additional land office in the Territory of Michigan.

Be it enacted, &c., That all the public lands in the district of Detroit, lying south of the boundary line between the third and fourth townships, south of the base line, except so much thereof as lies north of the river Huron, of Lake Erie, and all the public lands in the Territory of Michigan, to which the Indian title was extinguished by the treaty of Chicago, shall be formed into a new land district; and, for the sale of the public lands within the district hereby constituted, there shall be a land office established, at such place within the district as the President of the United States may designate.

President to appoint a register and receiver.

SEC. 2. *And be it further enacted*, That there shall be a register of the land office, and a receiver of public moneys, appointed by the President of the United States, for the land office hereby created, to superintend the sales of public lands within said district, who shall give security in the same manner, in the same sums, and whose compensation,

emoluments, and duties, and authority, shall, in every respect, be the same, in relation to the lands which shall be disposed of at their office, as are, or may be, by law provided in relation to the registers and receivers of public moneys in the several offices established for the sale of public lands. (a)

SEC. 3. *And be it further enacted*, That the provisions of the third and fifth sections of the act, entitled "An act to designate the boundaries of districts, and establish land offices, for the disposal of the public lands, not heretofore offered for sale, in the States of Ohio and Indiana," approved March the third, one thousand eight hundred and nineteen, be, and the same are hereby, made applicable to the district and office hereby created, so far as they are not changed by subsequent laws of the United States: *Provided*, That all such public lands, embraced within the district created by this act, which shall have been offered for sale to the highest bidder, at Detroit, pursuant to any proclamation of the President of the United States, and which lands remain unsold at the taking effect of this act, shall be subject to be entered and sold at private sale by the register of the land office hereby created, in the same manner, and subject to the same terms, and upon like conditions, as the sales of said lands would have been subjected to in the land office at Detroit had they remained attached to that office. (b)

Provisions of the act of March 3, 1819, made applicable to this office.

Proviso.

SEC. 4. *And be it further enacted*, That this act shall take effect, and be in force from and after the first day of May next ensuing the passage thereof.

Act to take effect May 1st next.

(a) See Nos. 196, 197, 455, 465, 469, 480, 484, 486, 490a, 503, 515, 522, 525a, 529, 536.

(b) See Nos. 85, 197, 455, 480, 503, 515, 526, 535, 574, 575, 583, 584.

No. 468.—AN ACT for the relief of the corporation of the Church of St. Anne, and to authorize the extension of Larned street, in the town of Detroit.

May 26, 1824.
Vol. 6, p. 315.

Be it enacted, &c., That it shall be lawful for the governor and judges of the Territory of Michigan, to cause Larned street, in the town of Detroit to be continued, westerly, parallel to Jefferson avenue, until it intersects the street which runs northerly from said avenue, at right angles therewith, near the public barn, agreeable to the plan of the town; and to cause the public barn, and the pickets bounding the military reserve, to be removed to the north side of Larned street.

Larned street, in Detroit, to be continued.

SEC. 2. *And be it further enacted*, That so much of the military reserve, lying south of Larned street, thus extended, as is included in the deed from the said governor and judges to the corporation of the Catholic Apostolic and Roman Church of St. Anne, of Detroit, on the 11th day of January, one thousand eight hundred and seventeen, be, and the same is hereby declared to be, confirmed to the said corporation.

Part of military reserve confirmed to the corporation of St. Anne.

SEC. 3. *And be it further enacted*, That the residue of the said military reserve, between Larned street and Jefferson avenue, included within the pickets of the said reserve, and bounded west by said street, which runs from said avenue to the public barn, and east by the east bounds of the military reserve, be, and the same is hereby declared to be, vested in the said governor and judges, to be disposed of as, by the act of Congress, passed the twenty-first day of April, one thousand eight hundred and six, entitled "An act to provide for the adjustment of titles of land in the town of Detroit, and Territory of Michigan, and for other purposes," is directed. (a)

Residue to be disposed of agreeably to the act of April 21, 1806.

(a) See Nos. 453, 471, 479, 481, 501, 583.

No. 469.—AN ACT to alter the lines between the land districts in the Territory of Michigan.

May 16, 1826.
Vol. 4, p. 167.

Be it enacted, &c., That the boundaries of the southern land district, in the Territory of Michigan, as established by the act passed the third of March, eighteen hundred and twenty-three, entitled "An act to establish an additional land office in the Territory of Michigan," shall be so altered, as that, from the point where the present boundary line between the third and fourth townships south intersects the meridian line, the boundary of the said district shall run north with the meridian line until it shall intersect the base line, and thence with the said line west to Lake Michigan. (a)

Boundaries of the southern land district, in Michigan, established by the act of March 3, 1823, to be altered.

(a) See Nos. 196, 197, 455, 465, 467, 480, 484, 486, 490a, 503, 515, 522, 525a, 529, 536.

May 20, 1826.
Vol. 4, p. 180.

No. 470.—AN ACT concerning a seminary of learning in the Territory of Michigan.

Be it enacted, &c., That the Secretary of the Treasury be, and he is hereby, authorized to set apart and reserve from sale, out of any of the public lands within the Territory of Michigan, to which the Indian title may be extinguished, and not otherwise appropriated, a quantity of land, not exceeding two entire townships, for the use and support of an university within the Territory aforesaid, and for no other use or purpose whatsoever, to be located in tracts of land corresponding with any of the legal divisions into which the public lands are authorized to be surveyed, not less than one section, one of which said townships, so set apart and reserved from sale, shall be in lieu of an entire township of land, directed to be located in said Territory for the use of a seminary of learning therein, by an act of Congress entitled "An act making provision for the disposal of the public lands in the Indiana Territory, and for other purposes," approved March twenty-sixth, one thousand eight hundred and four. (a)

(a) See Nos. 196, 477, 489, 490, 493.

May 20, 1826.
Vol. 6, p. 346.

No. 471.—AN ACT granting certain grounds in the city of Detroit to the mayor, recorder, aldermen, and freemen of that city.

Certain public grounds in Detroit vested in the mayor, &c., of said city.

Proviso.

Proviso.

Be it enacted, &c., That all the right and claim of the United States in and to the public grounds within the limits of the city of Detroit, heretofore occupied for military purposes, excepting as hereinafter provided, be, and the same are hereby, granted to, and vested in, the mayor, recorder, aldermen, and freemen of the city, for the use of said freemen: *Provided,* There be reserved and excepted from this grant the following lots: one lot, upon which the public store-house is situate, bounded one hundred and fifty feet in front upon Jefferson avenue, and extending the same width to the channel of the river; one other lot, upon which the public arsenal is situate, containing one hundred and fifty feet in front upon Jefferson avenue, and extending the same width, by parallel lines, at right angles, with said avenue, in a northwestern course, two hundred feet; and one other lot, upon which the building occupied by the military store-keeper is situate, containing one hundred and twenty-five feet in front upon Jefferson avenue, and extending back, in a northwestern direction, by parallel lines, at right angles with that avenue, two hundred feet; *And provided also,* That the grant expressed in this act shall not take effect, until the said mayor, recorder, aldermen, and freemen, in their corporate capacity, shall have secured to the United States a sum of money, to be expended under the direction of the Secretary of War, sufficient for the erection of a magazine, at a place without the limits of the city, to be designated by the War Department. (a)

(a) See Nos. 453, 468, 479, 481, 501, 583.

May 20, 1826.
Vol. 6, p. 348.

No. 472.—AN ACT giving the right of pre-emption of a certain lot of land to Charles Noble.

Right of pre-emption granted to him.

Be it enacted, &c., That Charles Noble be, and he is hereby, entitled to a preference, in becoming the purchasing [purchaser] at private sale, of one square acre of land, known and designated as the "Wayne Stockade," lying and being in the southern land district of the Territory of Michigan, and bounded as follows, to wit: in the front, or the south, by the public highway, on the north side of the river Raisin, leading up and down said river, and on the east, north, and west, by lands patented to Jacques and Francis Lasselle, upon the payment of forty dollars to the receiver of public moneys, in the aforesaid land district, and on the presentation of the said receiver's receipt for that amount to the Secretary of the Treasury, the said Charles Noble, or his legal representatives, shall be entitled to a patent from the United States.

March 2, 1827.
Vol. 4, p. 236.

No. 473.—AN ACT to authorize the President of the United States to ascertain and designate the northern boundary of the State of Indiana.

[See INDIANA, No. 245.]

No. 474.—AN ACT to confirm certain claims to lands in the Territory of Michigan.

April 17, 1828.
Vol. 4, p. 260.

Be it enacted, &c., That the claims purporting to be confirmed, or recommended for confirmation, by the commissioners appointed to carry into effect the "Act to revive the powers of the commissioners for ascertaining and deciding on claims to lands in, and for settling the claims to lands at, Green Bay and Prairie du Chien, in the Territory of Michigan," passed on the eleventh day of May, one thousand eight hundred and twenty, which are contained in volumes two, four, and five, be, and the same are, confirmed.

Claims purporting to be confirmed, &c., or recommended for confirmation, under the act of May 11, 1820, confirmed.

SEC. 2. *And be it further enacted,* That the claims purporting to be confirmed, or recommended for confirmation, by the commissioners appointed to carry into effect "An act to revive and continue in force certain acts for the adjustment of land claims in the Territory of Michigan," passed the twenty-first of February, one thousand eight hundred and twenty-three, which are contained in volumes one, three, six, eight, and nine, of said reports, be, and the same are hereby, confirmed.

Claims purporting to be confirmed, or recommended for confirmation under the act of Feb. 21, 1823, confirmed.

SEC. 3. *And be it further enacted,* That the Secretary of the Treasury, under the direction of the President of the United States, be, and he is hereby, authorized and required, as soon as may be, to adopt such measures as may be necessary, to give full effect to the reports of the commissioners which are enumerated in the first and second sections of this act: *Provided,* That this act shall not be so construed as to prejudice the rights of third persons, or to impose any obligation, on the part of the United States, to make payment, or give other lands, to any claimant who may be deprived of his possessions by operation of law; nor shall the confirmations made by this act be so construed as to extend further than to a relinquishment, by the United States, of all interest in, and to, said lands, nor to any lands occupied by the United States for military purposes.

Secretary of the Treasury authorized, &c., to give full effect to the reports of the commissioners enumerated in the 1st and 2d sections of this act.

Proviso.

SEC. 4. *And be it further enacted,* That it shall be the duty of the register of the land office at Detroit, to issue patent certificates, in the forms usual in similar cases, to claimants whose claims are confirmed by this act, upon which certificates, if legally and properly obtained, patents shall be granted by the Commissioner of the General Land Office.

Register of the land office at Detroit to issue certificates to claimants.

SEC. 5. *And be it further enacted,* That the Secretary of the Treasury be, and he is hereby, authorized and required to pay to John J. Deming, of Detroit, the sum of thirty dollars, which shall be in full for his services in preparing and publishing maps for the use of the commissioners aforesaid.

Secretary of the Treasury to pay John J. Deming \$30.

SEC. 6. *And be it further enacted,* That, for surveying the donation rights or back concessions in said Territory, heretofore made under the above-mentioned acts of Congress, and not paid for, and also for such surveys as may be necessary to carry into effect the provisions of this act, there shall be paid, out of any money in the Treasury not otherwise appropriated, the same compensation per mile as is allowed by the tenth section of the act of the eighth of February, one thousand eight hundred and twenty-seven, entitled "An act to provide for the confirmation and settlement of private land claims in East Florida, and for other purposes," any thing in any act to the contrary notwithstanding. (a)

Same compensation per mile, as is allowed by the 10th section of the act of Feb. 8, 1827, to be paid for surveying the donation rights or back concessions in said Territory.

(a) See Nos. 197, 454, 455, 457, 461, 464, 466, 514, 532.

No. 475.—AN ACT for the benefit of Mary Ann Bond, and Mary Loveless.

April 17, 1828.
Vol. 6, p. 374.

Be it enacted, &c., That Mary Ann Bond, and Mary Loveless, daughters of Hugh Smith, deceased, be, and they are hereby, authorized to enter, and obtain patents for, four hundred acres of land in the Territory of Michigan, without making payment therefor: *Provided, however,* That the entry or entries shall be made on such land, in said Territory, as has been offered for sale, and is now subject to entry, and shall be made, as to three hundred and twenty acres thereof, in a half-section, or in quarter-sections, and, as to the remaining eighty acres, by taking one-half of a quarter-section adjoining said entry, running the lines parallel with those of the quarter-section, or half-section so entered.

Authorized to enter and obtain patents for 400 acres of land in Michigan.

Proviso.

May 24, 1828.
Vol. 4, p. 314.

No. 476.—AN ACT authorizing the legislative council of the Territory of Michigan to take charge of school lands in said Territory.

Governor, &c.,
to make such
laws, &c., as they
may deem expedient,
to protect from injury,
&c., section 16, reserved
in each township for the
support of schools, &c.

Be it enacted, &c., That the governor and legislative council of the Territory of Michigan be, and they are hereby, authorized to make such laws and needful regulations, as they shall deem most expedient, to protect from injury and waste section numbered sixteen, in said Territory, reserved in each township, for the support of schools therein; and to provide, by law, for leasing the same, for any term not exceeding four years, in such manner as to render them productive, and most conducive to the objects for which they were designed. (a)

(a) See Nos. 458, 493, 562, 586.

Jan. 13, 1830.
Vol. 4, p. 370.

No. 477.—AN ACT to authorize the exchange of certain lots of land between the university of Michigan Territory and Martin Baum and others.

Trustees of the
University of
Michigan authorized
to exchange with
Martin Baum certain
land, for certain
other land.

President of
United States to
issue requisite
patents.

Be it enacted, &c., That the trustees of the university of Michigan be, and they are hereby, authorized to exchange with Martin Baum and others, the tracts of land designated as river lots, numbered one and two, in the United States' reserve of twelve miles square, on the Miami of Lake Erie, heretofore purchased from the United States, and which, having been relinquished by the said Martin Baum under the provisions of the act of the second of March, one thousand eight hundred and twenty-one, for the relief of the purchasers of the public lands, were afterwards selected by the Secretary of the Treasury, for the said university, under the provisions of the act of the twentieth of May, one thousand eight hundred and twenty-six, entitled "An act concerning a seminary of learning in the Territory of Michigan," for such other lands as may be agreed upon by them; and the President of the United States, upon being advised by the said trustees that such exchange has been made, is hereby authorized and required to issue patents in such manner as may be necessary to carry this act into full effect. (a)

(a) See Nos. 196, 470, 489, 490, 493.

April 23, 1830.
Vol. 6, p. 413.

No. 478.—AN ACT for the relief of Gabriel Godfroy and John Baptiste Beaugrand.

Patent for land
to be issued to
them.

Provided.

Be it enacted, &c., That the President of the United States be, and he is hereby, authorized to issue a patent to Gabriel Godfroy and John Baptiste Beaugrand, for a tract of two hundred and twenty-five acres, surveyed for them under an act, entitled "An act regulating the grants of land in the Territory of Michigan," and designated on the plat of survey of the United States reserve, of twelve miles square, on the Maumee of the Lake, as number five hundred and ninety-five, on their paying to the receiver of public moneys in the land office at Detroit, the balance of the purchase money due thereon, without interest, and with the usual discount, at any time within one year after the passage of this act: *Provided,* The said tract of land shall not have been sold to any other person.

May 28, 1830.
Vol. 4, p. 413.

No. 479.—AN ACT relative to the plan of Detroit, in Michigan Territory.

Report to be
made.

Be it enacted, &c., That the governor and judges of the Territory of Michigan, or any three of them, are hereby required to make a report of the plan of laying out the town of Detroit, under and by virtue of an act, entitled "An act to provide for the adjustment of titles of land in the town of Detroit, and Territory of Michigan, and for other purposes," passed the twenty-first April, one thousand eight hundred and six; one copy of which shall, on or before the first day of January next, be deposited and recorded in the office of the secretary of the Territory of Michigan, and another copy transmitted to the Secretary of State of the United States, to be by him laid before Congress. (a)

(a) See Nos. 453, 468, 471, 481, 501, 563.

No. 480.—AN ACT to establish a land office in the Territory of Michigan, and for other purposes. Feb. 19, 1831.
Vol. 4, p. 442.

Be it enacted, &c., That all the public lands to which the Indian title has been extinguished, lying west of the meridian line, in the Territory of Michigan, shall constitute a new land district; and, for the sale of the public lands within the said district there shall be a land office established at such place within the district, as the President of the United States may designate, who is hereby authorized to change the location of such office, whenever, in his opinion, the public interest may require it. Land district established in Michigan.
President to locate the office.

SEC. 2. *And be it further enacted,* That the land office now established at Monroe, shall be removed to the place designated for the location of this office, and the register and receiver of the Monroe land office, shall superintend the sales of public lands within said district, who shall give security in the same manner, in the same sums, and whose compensation, emoluments, duties, and authorities, shall, in every respect, be the same, in relation to the lands which shall be disposed of at their office, as are or may be by law provided, in relation to the registers and receivers of public moneys in the several offices established for the sale of public lands. (a) Monroe land office removed.

SEC. 3. *And be it further enacted,* That all the public lands lying east of the meridian line in the Territory aforesaid, which are not now embraced in the district of Detroit, be, and they are hereby, attached thereto; and it shall be the duty of the register and receiver of the land office in said district to deposit in the land office at Detroit all the records, books, and papers, surveys, &c. which pertain to said land office at Monroe, which shall be kept by the register and receiver of the land office at Detroit, as a part of the records of said office. Detroit district extended.

SEC. 4. *And be it further enacted,* That all such public lands as shall have been offered for sale to the highest bidder at Monroe or Detroit, pursuant to any proclamation of the President of the United States, and which are embraced within the provisions of this act, and which lands remain unsold at the taking effect of this act, shall be subject to be entered and sold at private sale, by the registers of the land offices to which they are hereby attached; and all provisions of law applicable to the public lands, to which this act applies, shall continue in full force and effect. (b) Lands to be entered and sold at their appropriate offices.

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- (a) See Nos. 196, 197, 455, 465, 467, 469, 484, 486, 490a, 503, 515, 522, 525a, 529, 536.
(b) See Nos. 85, 197, 455, 467, 503, 515, 526, 535, 574, 575, 583, 584.

No. 481.—AN ACT making provisions for the sale and disposition of the public grounds in the cities of St. Augustine and Pensacola, and to reserve certain lots and buildings for public purposes, and to provide for their repair and preservation. June 22, 1832.
Vol. 4, p. 550.

SEC. 5. *And be it further enacted,* That the President of the United States is hereby authorized to dispose of such part of the military reservations in the city of Detroit, and upon the river Rouge, in the Territory of Michigan, as in his opinion may not be wanted for the public service, and to vest the proceeds in the purchase or erection of a store-house and wharf in the said city of Detroit, and in the erection of an arsenal in the vicinity thereof, either upon the public lands or upon a site to be procured for that purpose. (a) Part of certain military reservations to be sold, and the proceeds to be vested in the purchase or erection of a storehouse, wharf, and arsenal.

- (a) See Nos. 453, 468, 471, 479, 501, 583.

No. 482.—AN ACT for the relief of John Anderson, assignee of Jean B. Jerome and George McDougall. July 10, 1832.
Vol. 6, p. 506.

Be it enacted, &c., That the surveyor-general of Ohio, Indiana, and Michigan, under the direction of the Secretary of the Treasury, shall, as soon as practicable, survey, or cause to be surveyed, a certain tract of land confirmed by the board of commissioners, appointed by virtue of an act of Congress, entitled "An act to revive the powers of the commissioners for ascertaining and deciding on claims to land in the district of Detroit, and for settling the claims to lands at Green Bay, &c.," approved May the eleventh, one thousand eight hundred and twenty, to George McDougall, as will more fully appear by reference to the fourth volume of the reports of said commissioners, made in one thousand eight hundred and twenty-four, and confirmed by act of Con- Survey of a certain tract of land directed.

gress of the second of January [seventeenth of April], one thousand eight hundred and twenty-eight; and also, one other tract of land confirmed by the commissioners aforesaid, to Jean B. Jerome, as will more fully appear by reference to the fifth volume of the reports of said commissioners, made in one thousand eight hundred and twenty-four, and confirmed as aforesaid, by act of Congress, of second January [seventeenth of April], one thousand eight hundred and twenty-eight; and shall return to the register of the land office of the district wherein such lands lie, an accurate plat of such survey, exhibiting such portions of land lying within the exterior lines of the aforesaid claims as have been disposed of by the Government; such (if any) as have been patented for the benefit of one or either of the aforesaid claimants, and those still belonging to the Government.

Certificate to issue for all such lands, &c., upon which patents shall issue, &c.

Authorized to enter land, not exceeding 840 acres.

If, in locating, &c., he shall be entitled, &c., the price of such remaining quantity may be applied, &c.

SEC. 2. *And be it further enacted*, That the register of the land office aforesaid shall forthwith issue to John Anderson, of Monroe, Michigan Territory (assignee of Jean B. Jerome and George McDongall) his heirs or assigns, a patent certificate for all such lands, within the exterior lines of the tracts aforesaid, as now belong to the Government, upon which patents shall issue to the aforesaid John Anderson, his heirs, and assigns. And for the purpose of carrying into full effect the recommendations of the commissioners aforesaid, the said John Anderson shall be entitled, and is hereby authorized, as soon as the return of the surveys aforesaid shall have been made to the register's office, to enter a quantity of land upon any of the United States' lands which have been surveyed and offered for sale in the Territory of Michigan according to the legal subdivisions of the United States' lands, which when added to the quantity which the Government either have patented, or may be able to patent to him, within the limits of the original claims, shall equal the entire quantity recommended by the commissioners aforesaid, not exceeding in the whole eight hundred and forty acres.

SEC. 3. *And be it further enacted*, That, if in locating the aforesaid residuum according to the legal subdivisions of the United States' lands, the said John Anderson shall be entitled to any number of acres less than the lowest subdivisions of the public lands, he shall then be entitled to apply the price of such remaining quantity in payment towards any other tract which he or his heirs or assigns, may afterwards choose to purchase of the Government.

July 14, 1832.
Vol. 6, p. 525.

Military bounty-land warrant to issue.

No. 483.—AN ACT for the relief of William Hoffman, a Canadian volunteer.

Be it enacted, &c., That the Secretary of War cause to be issued to William Hoffman, of the county of Erie, in the State of New York, a warrant for one hundred and sixty acres of bounty land, to which he was entitled under the act of the fifth of March, one thousand eight hundred and sixteen, entitled "An act granting bounties in land and extra pay to certain Canadian volunteers," in addition to one hundred and sixty acres heretofore received pursuant to said act; to be located in legal subdivisions, on any of the public lands of the United States in the Territory of Michigan, which have been offered at public sale, and are now subject to entry at private sale.

Jan. 30, 1833.
Vol. 4, p. 610

Land district established.
Boundaries.

Land office.

Register and receiver.

No. 484.—AN ACT to establish a land office in the Territory of Michigan.

Be it enacted, &c., That all that part of the Territory of Michigan, which is comprehended within the following boundaries, shall, from and after the passage of this act, constitute one land district for the sale and entry of the public lands, viz: lying between the third and fourth ranges of townships south of the base line and east of the principal meridian, except so much thereof as lies north of the river Huron, of Lake Erie; and also, the first, second, third, fourth, fifth, and sixth ranges of townships south of said base line, and west of said principal meridian. And there is hereby established a land office within the same, to be located at such place as the President, in his discretion, shall think proper to designate.

SEC. 2. *And be it further enacted*, That there shall be appointed by the President, by and with the advice and consent of the Senate, under the existing laws, a register and receiver in and for said district, whose compensation shall be the same as provided for other registers and receivers. (a)

(a) See Nos. 196, 197, 455, 465, 467, 469, 480, 486, 490a, 503, 515, 522, 525a, 529, 536.

No. 485.—AN ACT for the relief of Joel Thomas.

Feb. 5, 1833.
Vol. 6, p. 532.

Be it enacted, &c., That Joel Thomas, an inhabitant of the town of Pekin, in the Territory of Michigan, be, and he is hereby, confirmed in his claim to a certain lot of land of six hundred and forty acres, bounded and described as follows, viz: in front, on the north, by the river Rouge; on the west, by a tract of land purchased from the United States by Henry McGee; on the south, by lands belonging to the United States; and, on the east, by lands claimed by James Cisne; the same being in the township of Pekin, in the Detroit land district, having been occupied, originally, by John Reynolds, and subsequently, by the said Thomas, as assignee of Reynolds, from one thousand seven hundred and ninety-five, to the year one thousand eight hundred and thirty-one: *Provided,* This confirmation shall only amount to a relinquishment on the part of the United States, and shall not affect the rights of any third person; *And provided also,* That if the tract of land hereby confirmed to the above-named Joel Thomas, or any part thereof, should be found to conflict with the location of an arsenal of the United States; selected under an act of Congress, passed on the twenty-eighth day of June, one thousand eight hundred and thirty-two, then, and in that case, the said Joel Thomas be, and he is hereby, authorized to locate such part of said tract of land as may be found to so conflict with said arsenal, on any of the lands of the United States in the Territory of Michigan, according to legal subdivisions.

Land claim confirmed.

Proviso.

Proviso.

SEC. 2. *And be it further enacted,* That the surveyor-general, under the direction of the Secretary of the Treasury, shall cause the said tract of land to be surveyed, at the expense of the claimant; a plat of which shall be returned as in other cases; and a patent therefor shall be granted in the manner prescribed by law.

Survey to be made.

No. 486.—AN ACT to change the boundary between the southeastern and the western land districts in the Territory of Michigan, and for other purposes.

June 25, 1834.
Vol. 4, p. 682.

Be it enacted, &c., That all the public lands of the United States within the limits of the counties of Calhoun and Branch, in the Territory of Michigan, which are now subject to sale at the land office at Monroe, shall, from and after the passage of this act, be set off to, and form a part of, the western land district in said Territory; and all that part of said Territory lying east of the aforesaid counties, and south of the base line, and west of the principal meridian, and, also, all the country east of the principal meridian and south of the line between townships numbered three and four south, except so much thereof as lies north of the river Huron of Lake Erie, shall continue to belong to, and form a part of, the southeastern land district in said Territory, the land office for which is now located at Monroe, but shall be subject to be removed from time to time to such place as the President of the United States may order and direct. (a)

Certain lands to form part of the western, and others of southeastern land district.

(a) See Nos. 196, 197, 455, 465, 467, 469, 480, 484, 490a, 503, 515, 522, 525a, 529, 536.

No. 487.—AN ACT to attach the territory of the United States west of the Mississippi River, and north of the State of Missouri, to the Territory of Michigan.

June 28, 1834.
Vol. 4, p. 701.

Be it enacted, &c., That all that part of the territory of the United States bounded on the east by the Mississippi River, on the south by the State of Missouri, and a line drawn due west from the northwest corner of said State to the Missouri River; on the southwest and west by the Missouri River and the White Earth River, falling into the same; and on the north, by the northern boundary of the United States, shall be, and hereby is, for the purpose of temporary government, attached to, and made a part of, the Territory of Michigan, and the inhabitants therein shall be entitled to the same privileges and immunities, and be subject to the same laws, rules, and regulations, in all respects, as the other citizens of Michigan Territory. (a)

Territory made part of Michigan, and the inhabitants subjected to its laws, &c.

(a) See Nos. 451, 459, 462, 473, 491, 492, 497, 498, 499, 511, 512.

March 3, 1835. No. 488.—AN ACT granting to the borough of Michillimakinac, certain grounds for public purposes.
Vol. 6, p. 607.

A lot of eight acres granted for public purposes. *Be it enacted, &c.,* That there be, and there is hereby, granted to the corporation of the borough of Michillimakinac, for public purposes exclusively, a lot of ground, containing by estimation eight acres, heretofore used as a common, by the inhabitants of said borough, lying between a lot of land the property of Doctor David Mitchell, and another lot of land, the property of the heirs of Ezekiel Solomon, deceased.

March 3, 1835. No. 489.—AN ACT to authorize the sale of certain lands belonging to the University of Michigan.
Vol. 6, p. 615.

Trustees authorized to sell certain lands at public auction. *Be it enacted, &c.,* That William Woodbridge, John Biddle, and the governor of the Territory of Michigan, trustees of the university of said Territory, be, and they are hereby, authorized to sell, at public auction, to the highest bidder, after sixty days' previous notice of the time and place in three of the newspapers of said Territory, the following tracts of land belonging to said university, and lying near Toledo, on the Maumee River of Lake Erie, to wit: tracts number three and four, the southwest quarter of section number two, and the west half of section number three, in township number three within the "twelve-mile reservation," at the foot of the rapids of the said Maumee River; and the said trustees are hereby authorized to make good and sufficient conveyance of said lands; and the product arising from the sale thereof shall be considered, and shall constitute a part of the general fund appropriated for the benefit of the University of Michigan. (a)

(a) See Nos. 196, 470, 477, 490, 493.

March 22, 1836. No. 490.—AN ACT to authorize the conveyance of certain lands belonging to the University of Michigan.
Vol. 6, p. 626.

Trustees may convey certain lands. *Be it enacted, &c.,* That the trustees of the University of Michigan, be and they are hereby authorized, to convey to William Oliver, by a deed signed by the president, and countersigned by the secretary of said board of trustees, the following tracts of land, lying near Toledo, on the Miami of the Lake, to wit, tracts numbered three and four, and the southwest quarter of section number two, and the west half of section number three, in township number three, within the twelve-mile reservation at the foot of the rapids of the said Miami River, pursuant to a contract entered into between the said trustees, and the said William Oliver, on the twenty-fourth and twenty-fifth days of October, anno Domini, eighteen hundred and thirty-four.

Act of March 3, 1835, repealed. SEC. 2. *And be it further enacted,* That the act entitled An act to authorize the sale of certain lands belonging to the University of Michigan, approved March third, eighteen hundred and thirty-five, be, and the same is hereby, repealed: *Provided,* That the product arising from the sale of said land, shall be considered, and shall constitute a part of the general fund appropriated for the University of Michigan. (a)

(a) See Nos. 196, 470, 477, 489, 493.

June 15, 1836. No. 490a.—AN ACT to divide the Green Bay land district in Michigan, and for other purposes.
Vol. 5, p. 48.

Division how made. *Be it enacted, &c.,* That the country on the western shore of Lake Michigan, embraced within the limits of the Green Bay land district, as established by the act of Congress, of the twenty sixth day of June, eighteen hundred and thirty-four, shall be, and is hereby, divided by a line commencing on the western boundary of said district, and running thence, east, between townships ten and eleven north, to the line between ranges seventeen and eighteen, east; thence north, between said ranges of townships, to the line between townships twelve and thirteen north; thence east, between said townships twelve and thirteen, to Lake Michigan; and all the country bounded north by the division line here described, south by the base line, east by Lake Michigan, and west by the division line between ranges eight and nine east, shall constitute a separate district, and be called the Milwaukie land district.

SEC. 2. *And be it further enacted*, That two additional districts shall be, and are hereby established in the peninsula of Michigan, one to be called the Grand River, and the other the Saginaw, land district, the former of which shall be bounded as follows, to wit: beginning at the shore of Lake Michigan, on the line between townships three and four north, and running east on said line to the line between ranges number six and seven west of the principal meridian; thence, on said range line south, to the base line of the public surveys; thence, on said base line east, to the principal meridian line; thence north, on said meridian, to the north boundary of township ten north; thence west, on the line between townships ten and eleven north, to the western boundary of range two west; and thence north, following the line between ranges two and three west, so as to include all that portion of the peninsula of Michigan lying west of said line. The Saginaw district shall embrace all the tract of country bounded on the west by the Grand River district aforesaid; on the south, by the division line, between townships number five and six, north of the base line; on the east by the division line, between ranges eleven and twelve, east of the principal meridian; and on the north and northeast by Saginaw Bay and Lake Huron. (a)

Two additional land districts to be established.

SEC. 3. *And be it further enacted*, That for each of all the aforesaid districts there shall be appointed a register and receiver, who shall reside and superintend the sales of the public lands at such place, in each respective district, as the President of the United States may designate. They shall give security in the same manner and in the same sums, and their compensation, emoluments, duty, and authority, shall, in every respect, be the same, in relation to the lands which may be disposed of at their offices, as are, or may be, provided by law relative to the registers and receivers of public money in the several offices established for the sale of the public lands.

Registers and receivers to be appointed in each.

SEC. 4. *And be it further enacted*, That it shall be the duty of the Secretary of the Treasury, as soon as the same can be done, to cause the proper plats of the surveys of the said districts to be deposited in the land offices intended for them, respectively; and he is hereby authorized to allow and pay out of the proceeds of the sales of the public lands the reasonable expenses which may be incurred in carrying into effect the provisions of this act.

Proper plats and surveys to be deposited in the land offices.

SEC. 5. *And be it further enacted*, That the lands which were ceded to the United States by the treaty made with the confederated tribes of Sac and Fox Indians at Fort Armstrong, in the State of Illinois, on the twenty-first day of September, eighteen hundred and thirty-two, be, and the same are hereby, attached to, and made a part of, the Wisconsin land district, in the Territory of Michigan; and that said lands shall be liable to be surveyed and sold at Mineral Point, or wherever the President may direct, in the same manner as other public lands of the district.

Certain ceded lands to be attached to the Wisconsin land district.

SEC. 6. *And be it further enacted*, That this act shall take effect and be in force from and after the first day of August next.

Act to take effect on the 1st of August, 1836.

(a) See Nos. 196, 197, 455, 465, 467, 469, 480, 484, 486, 503, 515, 522, 525a, 529, 536.

NO. 491.—AN ACT to establish the northern boundary line of the State of Ohio, and to provide for the admission of the State of Michigan into the Union upon the conditions therein expressed.

June 15, 1836.
Vol. 5, p. 49.

Be it enacted, &c., That the northern boundary line of the State of Ohio shall be established at, and shall be a direct line drawn from the southern extremity of Lake Michigan, to the most northerly cape of the Maumee (Miami) Bay, after that line, so drawn, shall intersect the eastern boundary line of the State of Indiana; and from the said north cape of the said bay, northeast to the boundary line between the United States and the province of Upper Canada, in Lake Erie; and thence, with the said last-mentioned line, to its intersection with the western line of the State of Pennsylvania.

Northern boundary line.

SEC. 2. *And be it further enacted*, That the constitution and State government which the people of Michigan have formed for themselves be, and the same is hereby, accepted, ratified, and confirmed; and that the said State of Michigan shall be, and is hereby, declared to be one of the United States of America, and is hereby admitted into the Union upon an equal footing with the original States, in all respects whatsoever: *Provided always*, And this admission is upon the express condition, that

Constitution accepted.

Proviso.

the said State shall consist of and have jurisdiction over all the territory included within the following boundaries, and over none other, to wit: Beginning at the point where the above-described northern boundary of the State of Ohio intersects the eastern boundary of the State of Indiana, and running thence with the said boundary line of Ohio, as described in the first section of this act, until it intersects the boundary line between the United States and Canada, in Lake Erie; thence, with the said boundary line between the United States and Canada through the Detroit River, Lake Huron, and Lake Superior, to a point where the said line last touches Lake Superior; thence, in a direct line through Lake Superior, to the mouth of the Montreal River; thence through the middle of the main channel of the said river Montreal, to the middle of the Lake of the Desert; thence, in a direct line to the nearest head water of the Menomonie River; thence, through the middle of that fork of the said river first touched by the said line, to the main channel of the said Menomonie River; thence, down the centre of the main channel of the same, to the centre of the most usual ship channel of the Green Bay of Lake Michigan; thence, through the centre of the most usual ship channel of the said bay to the middle of Lake Michigan; thence, through the middle of Lake Michigan, to the northern boundary of the State of Indiana, as that line was established by the act of Congress of the nineteenth of April, eighteen hundred and sixteen; thence, due east, with the north boundary line of the said State of Indiana, to the northeast corner thereof; and thence, south, with the east boundary line of Indiana, to the place of beginning.

The boundary to receive the assent of a convention.

SEC. 3. *And be it further enacted*, That, as a compliance with the fundamental condition of admission contained in the last preceding section of this act, the boundaries of the said State of Michigan, as in that section described, declared, and established, shall receive the assent of a convention of delegates elected by the people of the said State, for the sole purpose of giving the assent herein required; and as soon as the assent herein required shall be given, the President of the United States shall announce the same by proclamation; and thereupon, and without any further proceeding on the part of Congress, the admission of the said State into the Union, as one of the United States of America, on an equal footing with the original States in all respects whatever, shall be considered as complete, and the Senators and Representatives who have been elected by the said State as its representatives in the Congress of the United States, shall be entitled to take their seats in the Senate and House of Representatives respectively, without further delay. (a)

Vacant and unsold lands reserved to the United States.

SEC. 4. *And be it further enacted*, That nothing in this act contained, or in the admission of the said State into the Union as one of the United States of America upon an equal footing with the original States in all respects whatever, shall be so construed or understood as to confer upon the people, legislature, or other authorities of the said State of Michigan, any authority or right to interfere with the sale by the United States, and under their authority, of the vacant and unsold lands within the limits of the said State, but that the subject of the public lands, and the interests which may be given to the said State therein, shall be regulated by future action between Congress, on the part of the United States, and the said State, or the authorities thereof. And the said State of Michigan shall in no case and under no pretence whatsoever, impose any tax, assessment or imposition of any description upon any of the lands of the United States within its limits. (b)

(a) See Nos. 451, 459, 462, 473, 487, 492, 497, 498, 499, 511, 512.

(b) See No. 493.

June 23, 1836.
Vol. 5, p. 56.

No. 492.—AN ACT to settle and establish the northern boundary line of the State of Ohio.

[See OHIO, No. 142.]

June 23, 1836.
Vol. 5, p. 59.

No. 493.—AN ACT supplementary to the act entitled "An act to establish the northern boundary line of the State of Ohio, and to provide for the admission of the State of Michigan into the Union on certain conditions."

Propositions offered for the acceptance of the legislature of Michigan.

Be it enacted, &c., That in lieu of the propositions submitted to the Congress of the United States by an ordinance passed by the convention of delegates at Detroit, assembled for the purpose of making a constitution for the State of Michigan, which are hereby rejected; and

that the following propositions be, and the same are hereby offered to the legislature of the State of Michigan, for their acceptance or rejection, which if accepted, under the authority conferred on the said legislature by the convention which framed the constitution of the said State, shall be obligatory upon the United States.

First. That section numbered sixteen in every township of the public lands, and where such section has been sold or otherwise disposed of, other lands equivalent thereto, and as contiguous as may be, shall be granted to the State for the use of schools. (a) Sections of land for schools.

Second. That the seventy-two sections of land set apart and reserved for the use and support of a university by an act of Congress approved on the twentieth day of May, eighteen hundred and twenty-six, entitled "An act concerning a seminary of learning in the Territory of Michigan," are hereby granted and conveyed to the State, to be appropriated solely to the use and support of such university, in such manner as the legislature may prescribe; *And provided, also,* That nothing herein contained shall be so construed as to impair or affect in any way the rights of any person or persons claiming any of said seventy-two sections of lands, under contract or grant from said university. (b) Sections of land for university.
Proviso.

Third. That five entire sections of land, to be selected and located under the direction of the legislature, in legal divisions of not less than one quarter-section, from any of the unappropriated lands belonging to the United States within the said State, are hereby granted to the State for the purpose of completing the public buildings of the said State, or for the erection of public buildings at the seat of government of the said State, as the legislature may determine and direct. Erection of public buildings.

Fourth. That all salt springs within the State, not exceeding twelve in number, with six sections of land adjoining, or as contiguous as may be to each, shall be granted to the said State for its use, the same to be selected by the legislature thereof, on or before the first of January, eighteen hundred and forty; and the same, when so selected, to be used on such terms, conditions, and regulations, as the legislature of the said State shall direct: *Provided,* That no salt spring, the right whereof is now vested in any individual or individuals, or which may hereafter be confirmed or adjudged to any individual or individuals, shall, by this section, be granted to said State: *And provided, also,* That the general assembly shall never sell or lease the same, at any one time, for a longer period than ten years, without the consent of Congress. (c) Salt springs.
Proviso.
Proviso.

Fifth. That five per cent. of the nett proceeds of the sales of all public lands lying within the said State, which have been or shall be sold by Congress, from and after the first day of July, eighteen hundred and thirty-six, after deducting all the expenses incident to the same, shall be appropriated, for making public roads and canals within the said State, as the legislature may direct: *Provided,* That the five foregoing propositions herein offered, are on the condition that the legislature of the said State, by virtue of the powers conferred upon it by the convention which framed the constitution of the said State, shall provide, by an ordinance irrevocable without the consent of the United States, that the said State shall never interfere with the primary disposal of the soil within the same by the United States, nor with any regulations Congress may find necessary for securing the title in such soil to the bona-fide purchasers thereof: and that no tax shall be imposed on lands the property of the United States; and that in no case shall non-resident proprietors be taxed higher than residents; and that the bounty lands granted, or hereafter to be granted, for military services during the late war, shall, whilst they continue to be held by the patentees or their heirs, remain exempt from any tax laid by order or under the authority of the State, whether for State, county, township, or any other purpose, for the term of three years from and after the date of the patents respectively. (d) Per centage upon lands sold, to be applied to roads and canals.
Proviso.

(a) See Nos. 458, 476, 562, 586.

(b) See Nos. 196, 470, 477, 489, 490.

(c) See Nos. 458, 516, 519.

(d) See No. 491.

No. 494.—AN ACT to authorize the President of the United States to cause to be issued to Albert J. Smith, and others, patents for certain reservations of land in Michigan Territory.

June 23, 1836.
Vol. 6, p. 639.

Be it enacted, &c., That the President of the United States be, and he is hereby, authorized to issue, or cause to be issued, to Metaw-ne-nee, (or Albert J. Smith,) Messaw-wa-kut, (or Harriet M. Smith,) Anno-ket-sons named. Land patents to issue to persons named.

o-qua, (or Louisa L. Smith,) and Non-dash-e-man, (or Maria G. Smith,) being children of Jacob Smith, deceased, formerly a trader among the Chippewa Indians, patents for one section of land each; also, one section of land conjointly, to the aforesaid Albert J. Smith, Harriet M. Smith, Louisa L. Smith, and Maria G. Smith, being the only surviving brother and sisters of Sa-gos-e-qua, (or Caroline Smith,) deceased, who was also one of the children of Jacob Smith, deceased, at or near the Grand Traverse of the Flint River, in the Territory of Michigan, which said sections of land were reserved to said children, by the third article of the treaty made and concluded at Saganaw, in the said Territory, between the United States of America, and the Chippewa nation of Indians, on the twenty-fourth day of September, in the year of our Lord, one thousand eight hundred and nineteen.

July 2, 1836.
Vol. 6, p. 667.

Land patent to
be issued.

No. 495.—AN ACT to provide for the issuing a land patent to Thomas B. Clarke.

Be it enacted, &c., That the President of the United States be, and he is hereby, authorized and required to cause to be issued to Thomas B. Clarke, assignee of David Thompson, who was assignee of James Cisni, a patent for a tract of land containing about one hundred and thirty-four acres, lying on the River Rouge, in the Territory of Michigan, and confirmed to said Cisni by the commissioners of private land claims in said Territory; the patent to be issued conformably to a patent certificate issued by the register of the land office at Detroit, on the 2d day of July, one thousand eight hundred and thirty-one, except that it shall not include that part of said claim lying north of the "Chicago road."

July 2, 1836.
Vol. 6, p. 679.

A section of
land ganted to
them.

No. 496.—AN ACT for the relief of Robert Abbott, and the other heirs of James Abbott, deceased.

Be it enacted, &c., That there be granted to Robert Abbott and the other heirs of James Abbott, deceased, one section of land, containing six hundred and forty acres, to be located in the Territory of Michigan, on any of the lands belonging to the United States subject to entry at private sale.

Jan. 26, 1837.
Vol. 5, p. 144.

Admitted into
the Union.

No. 497.—AN ACT to admit the State of Michigan into the Union, upon an equal footing with the original States.

Whereas, in pursuance of the act of Congress of June the fifteenth, eighteen hundred and thirty-six, entitled "An act to establish the northern boundary of the State of Ohio, and to provide for the admission of the State of Michigan into the Union upon the conditions therein expressed," a convention of delegates, elected by the people of the said State of Michigan, for the sole purpose of giving their assent to the boundaries of the said State of Michigan as described, declared, and established, in and by the said act, did, on the fifteenth of December, eighteen hundred and thirty-six, assent to the provisions of said act, Therefore:

Be it enacted, &c., That the State of Michigan shall be one, and is hereby declared to be one, of the United States of America, and admitted into the Union on an equal footing with the original States, in all respects whatever. (a)

(a) See Nos. 451, 459, 462, 473, 487, 491, 492, 498, 499, 511, 512.

June 12, 1838.
Vol. 5, p. 244.

The boundary
line between
Michigan and
Wisconsin, as
established by
act June 15, 1836,
to be surveyed,
marked, and des-
ignated.

No. 498.—AN ACT to ascertain and designate the boundary line between the State of Michigan and the Territory of Wisconsin.

Be it enacted, &c., That the surveyor-general of the Ohio, Indiana, Michigan and Wisconsin land districts, under the direction of the President of the United States, be, and he is hereby, authorized and required to cause to be surveyed, marked, and designated, the boundary line between the State of Michigan and the Territory of Wisconsin, agreeably to the boundary as established by the act entitled "An act to establish the northern boundary line of the State of Ohio, and to provide for the admission of the State of Michigan into the Union, upon the conditions, therein expressed," approved June fifteenth, eighteen hundred and

thirty-six; and to cause to be made a plat or plan of the boundary between the said State of Michigan and the said Territory of Wisconsin, and return the same to Congress at its next annual session, and that the sum of three thousand dollars be, and the same is hereby appropriated to carry into effect this act: *Provided*, That the whole expense of surveying, marking and designating the said boundary line shall not exceed that sum. (a)

A plat to be made, &c.

Appropriation. Proviso.

(a) See Nos. 451, 459, 462, 473, 487, 491, 492, 497, 499, 511, 512.

No. 499.—AN ACT making appropriations for the support of the Army for the year one thousand eight hundred and forty-one.

March 3, 1841.
Vol. 5, p. 433.

SEC. 3. *And be it further enacted*, That for the purpose of designating and marking the boundary line between the State of Michigan and Territory of Wisconsin, agreeably to the true intent and meaning of the second section of the act entitled "An act to establish the northern boundary line of the State of Ohio, and to provide for the admission of the State of Michigan into the Union, upon the conditions therein expressed," there be, and is hereby appropriated, the sum of six thousand dollars, to be expended under the direction of the Secretary of War, in the survey and examination of the country situated between the mouths of the Menomonie and Montreal rivers, who is hereby directed to cause to be made a plat or plan of such survey and examination; which shall be returned to Congress with all convenient dispatch. (a)

Survey of the country between the Menomonie and Montreal rivers.

(a) See Nos. 451, 459, 462, 473, 487, 491, 492, 497, 499, 511, 512.

No. 500.—AN ACT for the relief of Obed P. Lacey.

July 9, 1842.
Vol. 6, p. 834.

Whereas, it is provided, by the third article of the treaty of September twentieth, eighteen hundred and twenty-eight, with the Pottawatomies, that "a section of land shall be granted to Madeline Bertrand, wife of Joseph Bertrand," to be located under the direction of the President of the United States; and in accordance with said provisions, the locating agent, appointed by the United States, did, in the year eighteen hundred and thirty-five, locate her reservation upon section twelve, township thirty, range seven east; and the said Madeline and her husband Joseph Bertrand, did, on the fifteenth day of September, eighteen hundred and thirty-six, by deed, convey said tract to Obed P. Lacey; and whereas the said Lacey had been previously informed by the War Department that said location had been made and would be approved; and whereas three of the four quarters of said section were, on the twelfth day of October, eighteen hundred and thirty-five, sold at the public land sales, in consequence of which, the location was removed, and subsequently laid on fractional section twenty-six, township seven south, range seventeen west, in the State of Michigan; and whereas it appears, from the conveyance above recited, that the said Madeline and her husband, Joseph, for an adequate consideration, transferred all their right, title, and interest, to said reservation: Therefore,

Preamble.

Be it enacted, &c., That the deed described in the above preamble shall be deemed a full relinquishment, on the part of Madeline Bertrand, of all her claim to land under the treaty with the Pottawatomies of September twentieth, eighteen hundred and twenty-eight.

The deed described in the preamble to be deemed a full relinquishment, &c.

SEC. 2. *And be it further enacted*, That so soon as the said Obed P. Lacey shall execute, to the satisfaction of the Secretary of War, a full relinquishment of all claim he may have, under the deed aforesaid, as assignee of Madeline Bertrand and Joseph Bertrand, to section twelve, township thirty, range seven east, the President of the United States shall cause a patent to be issued to him, the said Obed P. Lacey, for fractional section twenty-six, township seven south, range seventeen west, which was located, and the location thereof approved, to the said Madeline, as a full satisfaction for the aforesaid relinquishment, on the part of said Obed P. Lacey, and of the claim of said Madeline Bertrand, under the treaty of September twentieth, eighteen hundred and twenty-eight.

Upon O. P. Lacey relinquishing his claim, a patent shall issue to him for certain land.

Aug. 29, 1842.
Vol. 5, p. 541.

Mayor, &c., of Detroit authorized to adjust claims under the act to which this is supplementary.

Mayor, &c., authorized to receive journals &c., of the board acting under act April 21, 1806.

Powers, &c., vested in said board, transferred to the mayor, &c.

Mayor, &c., authorized to institute legal proceedings.

All property, except the court-house and jail, vested in the mayor, &c.

Mayor, &c., to take an oath or affirmation.

No. 501.—AN ACT supplementary to "An act to provide for the adjustment of titles to land in the town of Detroit, and Territory of Michigan, and for other purposes," passed April twenty-one, eighteen hundred and six.

Be it enacted, &c., That the mayor, recorder, and aldermen of the city of Detroit, in the State of Michigan, be, and they, or a quorum of them in council assembled, are hereby, authorized to hear, examine, and finally adjust, all claims arising under the act to which this is supplementary, against the governor and judges of the late Territory of Michigan, and receive all moneys, or other rights to property to which the said governor and judges were entitled, or became entitled under said act.

SEC. 2. *And be it further enacted,* That the said mayor, recorder, and aldermen, of the said city of Detroit be, and they are hereby, entitled to receive from any person or persons having possession of the same, the journals, records, papers, and books of the governor and judges of the late Territory of Michigan, acting as a land board, under the act of April twenty-first, one thousand eight hundred and six, to which this is a supplement; and that all powers and rights vested by the said act in the said governor and judges, for the purposes therein mentioned, are hereby transferred and vested in the mayor, recorder, and aldermen, of the city of Detroit, in the State of Michigan. And the said mayor, recorder, and aldermen, are hereby authorized to institute proceedings at law or in equity, in any court of competent jurisdiction, in all cases where it may be necessary to carry into effect the purposes of this act.

SEC. 3. *And be it further enacted,* That any land or other property, real or personal, remaining, except the court-house and jail erected under the act to which this is a supplement, after satisfying all just claims provided for in the first section of the act to which this is a supplement, is hereby vested in the said mayor, recorder, and aldermen, of the city of Detroit, to be disposed of by them at their discretion to the best advantage; and they are hereby authorized to make deeds to purchasers thereof, or other sufficient conveyances; and the proceeds of the land or other property effects or claims so disposed of, and of other rights and claims of the said governor and judges, shall, after the payment of all necessary expenses incurred in giving effect to said act and to this act and in the adoption of such measures as they may deem necessary for preserving in proper form the records and other evidences of the proceedings of said governor and judges, be applied by the said mayor, recorder and aldermen, to such object or objects of public improvement in said city, as the said mayor, recorder, and aldermen, may in council direct. And the said mayor, recorder and aldermen are hereby required to take an oath or affirmation for the faithful discharge of their duties under this act, and make a report to Congress, in writing, of their proceedings, on or before the first day of January, one thousand eight hundred and forty-four. (a)

(a) See Nos. 453, 468, 471, 479, 481, 583.

Aug. 31, 1842.
Vol. 6, p. 875.

Certain land granted in satisfaction of a claim confirmed to J. R. Williams and J. May.

No. 502.—AN ACT for the relief of the heirs, or assignees, or legal representatives of James May.

Be it enacted, &c., That there be, and hereby is, granted to the legal heirs of James May, deceased, or the legal assignee of James May, or legal representatives of such assignee, of the late Territory of Michigan, the tract of land described as follows, namely: Section number four, in township number one north, of range number thirteen east, in the district of land subject to sale at Detroit, Michigan, in satisfaction, so far as said heirs are concerned, of the claim confirmed to John R. Williams and said James May, by the commissioners acting under an act entitled "An act to revive the powers of the commissioners for ascertaining and deciding on claims to land in the district of Detroit, and for settling the claims to lands at Green Bay and Prairie du Chien," passed May the eleventh, eighteen hundred and twenty, and that the President of the United States be authorized to issue a patent in pursuance of this act. (a)

(a) See No. 504.

No. 503.—AN ACT providing for the sale of certain lands in the States of Ohio and Michigan, ceded by the Wyandot tribe of Indians, and for other purposes.

March 3, 1843.
Vol. 5, p. 624.

SEC. 6. *And be it further enacted,* That all the lands in the Wyandot reserve, on both sides of the river Huron, in the State of Michigan, ceded to the United States by the aforesaid treaty, (a) shall be attached to and made a part of the district of lands subject to sale at Detroit; (b) and shall be offered for sale at the land office, in the same manner, both as to public and private sale, as is directed for the sale of the lands of the reserve in the State of Ohio by this act. (c) *Provided,* That the land shall not be sold for less than two dollars per acre.

Lands in Wyandot reserve in Michigan to be attached to the land district, and offered for sale.

Proviso.

(a) Treaty of March 17, 1842. See No. 456.

(b) See Nos. 196, 197, 455, 465, 467, 469, 480, 484, 486, 490a, 515, 522, 525a, 529, 536.

(c) See Nos. 85, 158, 197, 455, 467, 480, 515, 526, 535, 574, 575, 583, 584.

No. 504.—AN ACT for the relief of John R. Williams.

March 3, 1843.
Vol. 6, p. 899.

Be it enacted, &c., That there be, and is hereby granted to John R. Williams, of the State of Michigan, the following-described tract of land, to wit: the east half of section thirty-three, and the west half of section thirty-four, township two north, range thirteen east, in the district of land subject to sale at Detroit, Michigan, containing six hundred and forty acres; this grant being in satisfaction (so far as said Williams is concerned) of the claim confirmed to John R. Williams and James May by the commissioners acting under an act entitled "An act to revive the powers of the commissioners for ascertaining and deciding on claims to lands at Green Bay and Prairie du Chien," passed May eleven, eighteen hundred and twenty, and that the President of the United States be authorized to issue a patent in pursuance of this act. (a)

Land granted to him in satisfaction of a certain claim.

(a) See No. 502.

No. 505.—AN ACT for the relief of the heirs, or the assignees of the heirs, of Isaac Todd and James McGill.

March 3, 1843.
Vol. 6, p. 905.

Be it enacted, &c., That all the right, title, interest, claim, and demand of the United States in, over, and to the following-described tract or parcel of land, situate, lying, and being in the State of Michigan, known as claim two hundred and seventy, as entered upon the records of the land board at Detroit, under the act of twenty-sixth of March, anno Domini one thousand eight hundred and four, be, and the same is hereby, relinquished to James McGill, his heirs, and legal representatives, and to those legally holding under him or them; and all the right, title, interest, claim, or demand of the United States in, over, and to the following-described tracts or parcels of land situate, lying and being in the State of Michigan; that is to say, those certain tracts numbered two hundred and sixty-seven and two hundred and sixty-eight, as entered on the records aforesaid, under the act aforesaid, be, and the same is hereby, relinquished to Isaac Todd, his heirs and legal representatives, and to those legally holding under him or them: *Provided,* That said relinquishment on the part of the United States shall not take effect until the said James McGill and Isaac Todd, their heirs, or those holding and claiming the said land through them, for a consideration to be fixed by the valuation, upon oath, of three disinterested men, to be selected by the Secretary of War, and paid by the United States out of the sum of fifty thousand dollars appropriated by the act of September the ninth, A. D. eighteen hundred and forty-one, entitled "An act making appropriations for various fortifications for ordnance, and for preventing and suppressing Indian hostilities," shall execute to the United States in such form and with such covenants, as shall be prescribed by the Secretary of War, a good and sufficient deed to the following-described part of said tracts, that is to say, a tract adjoining on the southwest side, the land lately purchased by the United States from B. B. Kerchivell, bounded as follows: beginning at the northwest corner of said public land, thence south thirty-five degrees, west twenty-five chains, thence south twenty-eight degrees sixteen minutes east, twenty chains, more or less to the Detroit River, thence along the shore of said river in a northeasterly direction to the southwest corner of said public land; thence along the southwesterly boundary of the same to the place of beginning, containing forty acres more or less, which is hereby reserved to the United States for military purposes.

Right of United States to certain land relinquished to J. McGill, his heirs, &c.

Right of United States to certain land relinquished to Isaac Todd, his heirs, &c.

Proviso.

June 15, 1844.
Vol. 6, p. 913.

No. 506.—AN ACT authorizing a patent to be issued to Joseph Campan for a certain tract of land in the State of Michigan.

Land patent to
be issued.

Proviso.

Be it enacted, &c., That the President of the United States be, and he is hereby, authorized and required to cause to be issued to Joseph Campan, assignee of the children and heirs of Taw-cum-e-go-qua (an Indian woman) a patent for section number one, of the Indian reservation at the Grand Traverse of Flint River, in the State of Michigan, which section was reserved to said Taw-cum-e-go-qua by the treaty concluded with the Chippewa Indians at Saginaw, in said State, on the twenty-fourth of September, one thousand eight hundred and nineteen: *Provided*, That before said patent shall be issued, said Campan shall file, in the office of the Commissioner of the General Land Office, proof that he has purchased said land of the children and heirs of said Taw-cum-e-go-qua, and that he paid therefor, at the time when said purchase was made, a fair and equitable consideration. (a)

(a) See Nos. 508, 524.

June 17, 1844.
Vol. 5, p. 620.

No. 507.—AN ACT explanatory of the treaty made with the Chippewa Indians at Saginaw, the twenty third of January, eighteen hundred and thirty-eight.

First and second articles of treaty with Chippewas of January 23, 1838, how to be construed.

Be it enacted, &c., That the first and second articles in the treaty made with the Chippewa Indians, on the twenty-third of January, one thousand eight hundred and thirty-eight, shall be so construed as to prevent the sales of land ceded by said treaty for a less sum than two dollars and fifty cents per acre from and after the first day of September, one thousand eight hundred and forty-three; and that the minimum price of said lands, from and after that day, shall be two dollars and fifty cents per acre.

June 17, 1844.
Vol. 6, p. 930.

No. 508.—AN ACT for the relief of Joseph Campan.

Patent to issue to him for certain land.

Be it enacted, &c., That it shall be the duty of the register of the land office at Detroit, in the State of Michigan, on being fully satisfied of the justice of the claim of Joseph Campan to a certain tract of land on the border of Lake St. Clair, in said State, designated on the plat of private land claims, surveyed under the authority of the United States by Aaron Greely, as lot number seven hundred and thirty-six, containing about seventy-five acres, to grant to said Joseph Campan a patent certificate for said tract, upon which a patent may be issued in the usual manner in which patents have heretofore been issued to claimants under the act of the third of March, one thousand eight hundred and seven, entitled "An act regulating the grants of land in the Territory of Michigan." (a)

(a) See Nos. 506, 524.

March 3, 1845.
Vol. 5, p. 752.

No. 509.—AN ACT making appropriations for the civil and diplomatic expenses of the Government for the year ending the thirtieth June, eighteen hundred and forty-six, and for other purposes.

Surveyors and their clerks.
Northwest of the Ohio.

Proviso: office to be removed to Michigan.

Papers to be handed over.

Surveyors and their Clerks.—For compensation of the surveyor-general northwest of the Ohio, and the clerks in his office, eight thousand three hundred dollars: *Provided*, That said surveyor-general's office northwest of the Ohio shall be removed to and kept at such place in the State of Michigan as the President of the United States shall from time to time direct. And that on the removal of the said office as aforesaid, or as soon thereafter as practicable, the surveyor-general of said district shall be required to deliver over to the secretaries of state of the States of Ohio and Indiana, or such other officers as may be authorized to receive them, all the field-notes, maps, records, and other papers appertaining to the surveys and land titles within their limits. (a)

(a) See Nos. 11, 197, 458, 460, 513, 590.

No. 510.—AN ACT for the relief of Charles M. McKenzie.July 18, 1846.
Vol. 9, p. 656.

Be it enacted, &c., That Charles M. McKenzie be, and he is hereby, authorized to locate eighty acres of land in any of the unlocated lands of the United States, in the State of Michigan, subject to private entry, on his executing a deed of release of seventy-five acres to the United States, being that part of the south half of the southeast quarter of section twenty-seven, township five, range one east, in the State of Michigan, not used or occupied by the said Charles M. McKenzie, being land covered by water; which deed of release shall be deposited with the register of the land office at Detroit, Michigan, and the receipt and certificate of said register shall be sufficient evidence to the register of any other land office in the State of Michigan, when the said McKenzie may desire to locate said eighty acres of land, of his compliance with the requisitions of this act.

Charles M. McKenzie authorized to locate eighty acres of land in Michigan, on executing a release to the United States of seventy-five acres.

No. 511.—AN ACT to enable the people of Wisconsin Territory to form a constitution and State government, * * *.Aug. 6, 1846.
Vol. 9, p. 56.

[Jurisdiction of islands in Brulé and Menomonie rivers. See WISCONSIN, No. 622.]

No. 512.—AN ACT making appropriations, &c.Aug. 10, 1846.
Vol. 9, p. 85.

[So much of line between Michigan and Wisconsin as lies between the sources of Brulé and Montreal rivers to be surveyed. See WISCONSIN, No. 624.]

No. 513.—A RESOLUTION relative to errors and defective returns in certain surveys, plats, and field-notes.Aug. 10, 1846.
Vol. 9, p. 115.

Resolved, &c., That the Commissioner of the General Land Office be, and he is hereby, authorized to employ some suitable person to ascertain and report to the said Commissioner of the General Land Office the amount of damages sustained by the respective purchasers of public lands in township one south, range seven east, in the State of Michigan, (or by their respective assignees and legal representatives,) by, or in consequence of, the erroneous or fraudulent surveys of said township, or of the imperfect or false returns thereof; and it shall be the duty of such person so employed, to proceed to such township, and, upon view of the premises, and upon hearing the proofs of the parties in interest, to estimate and ascertain said damages, and to report his opinion and decision thereon, specifying in his said report each individual case, and the facts and reasons upon which his opinion may be founded. (a)

Commissioner of General Land Office to ascertain damages sustained by purchasers of certain land in Michigan.

(a) See. Nos. 11, 197, 458, 460, 509, 590.

No. 514.—AN ACT to regulate the exercise of the appellate jurisdiction of the Supreme Court of the United States in certain cases, and for other purposes.Feb. 22, 1847.
Vol. 9, p. 128.

[See FLORIDA, No. 1677.]

No. 515.—AN ACT to establish a land office in the northern part of Michigan, and to provide for the sale of mineral lands in the State of Michigan.March 1, 1847.
Vol. 9, p. 146.

Be it enacted, &c., That all that portion of the public lands in the State of Michigan lying north of the boundaries of the Saganaw and Grand River land districts in said State, commonly called the northern peninsula of the State of Michigan, with the islands in Lakes Superior, Huron, and Michigan, and in Green Bay, the Straits of Michilimackinac, and the River St. Mary's, within the jurisdiction of said State, be, and the same are hereby, included in the land district, to be called the Lake Superior land district: and for the sale of the lands in said district, there shall be a land office established at such point therein as the President of the United States may select. (a)

Lake Superior land district.

SEC. 2. *And be it further enacted,* That the Secretary of the Treasury shall cause a geological examination and survey of the lands embraced in said district to be made and reported to the Commissioner of the General Land Office. And the President is hereby authorized to cause

Secretary of Treasury shall cause a geological examination and survey.

- Mineral lands how sold.** such of said lands as may contain copper, lead, or other valuable ores, (b) to be exposed to sale, giving six months' notice of the times and places of sales in such newspapers of general circulation, in the several States, as he may deem expedient, with a brief description of the lands to be offered; showing the number and localities of the mines known, the probability of discovering others, the quality of the ores, the facilities of working the mines, and the means and expense of transporting their products to the principal markets in the United States. And all the lands embraced in said district, not reported as aforesaid, shall be sold in the same manner as other lands under the laws now in force for the sale of the public lands, excepting and reserving from such sales section sixteen in each township for the use of schools, and such reservations as the President shall deem necessary for public uses. (c)
- Other lands.** SEC. 3. *And be it further enacted,* That all those persons who are in possession, by actual occupancy, of any portion of the district described in the first section of this act, under authority of a lease from the Secretary of War, for the purpose of mining thereon, and who have fully complied with all the conditions and stipulations of said lease, may enter and purchase the same at any time during the continuance of such lease, to the extent of such lease, and no less, by paying to the United States therefor at the rate of two dollars and fifty cents per acre: *Provided,* That said entry and purchase shall be made to include the original survey of such lease, as near as may be, conforming to the lines of the public surveys of sections and subdivisions thereof. And all those persons who are in possession, by actual occupancy, of any of said lands, for mining purposes, under authority of a written permit from the Secretary of War, and who have visible landmarks and monuments as boundaries thereon, and who have, in all other respects, complied with the conditions and stipulations contained in such permit, may enter and purchase the same, to the extent of the tract selected by them and reported to the Secretary of War, as required by said permit, and no less, in the same manner as those who hold under leases, and at the same price: *Provided,* Such entry and purchase be made before the day said lands shall be offered for sale by order of the President. And all those persons who shall be in possession, by actual occupancy, of a mine or mines actually discovered before the passage of this act, and who shall pay the same per centum of rents as those who hold under leases, as aforesaid, shall be permitted to enter and purchase one section of land, and not less, to include such mine or mines discovered and occupied as aforesaid, by them, by paying to the United States the same price, and at the same time, as required of those who hold under permits aforesaid, and all rents accruing from such lessees or occupants shall be paid and delivered to such officers of the Government as the Secretary of the Treasury shall direct: *Provided,* That prior to any such purchase being made under the provisions of this section, proof of possession and occupancy, as aforesaid, of the mine or mines claimed, shall be made to the register and receiver of the land district, together with the evidence of the payment of all rents due the United States agreeably to such rules as may be prescribed by the Secretary of the Treasury for that purpose, which register and receiver shall each be entitled to receive one dollar for his services therein: *Provided,* That an appeal from the decision of the register and receiver to the Secretary of the Treasury may be had, under such regulations as the said Secretary may prescribe. And if two or more persons are in possession of the same section, the first occupant shall be entitled to a preference, unless the same can be so divided by legal subdivisions as to give to each the discovery claimed by him.
- Persons in actual occupancy for mining purposes, under permits, may purchase as those holding under lease.**
- Other persons in actual occupation.**
- Proof of possession and occupancy.**
- Appeal.**
- Joint occupancy.**
- Mineral lands offered for sale in quarter-sections.** SEC. 4. *And be it further enacted,* That the said mineral lands shall be offered for sale in quarter-sections, and no bid shall be received at a less rate than five dollars per acre; and if such lands shall not be sold at public sale at such price, they shall thereafter be entered at private sale at that price: *Provided,* That no legal division or subdivision of any of said lands upon which there may be any outstanding lease or leases from the Secretary of War unexpired or undetermined, and which is actually occupied for mining purposes, and the occupants of which have complied with all the requisites of such lease or leases, and continue to perform the same, shall be sold until after the determination of such lease or leases by efflux of time, voluntary surrender, or other legal extinguishment thereof, except in such cases as are provided for in the third section of this act, and the lessees respectively shall be entitled
- No legal divisions or subdivisions of standing leases to be sold.**

to the privileges secured by said section upon the voluntary surrender of the lease or leases held by them.

SEC. 5. *And be it further enacted*, That the management and control of the mineral lands shall be transferred from the War Department, and placed under the jurisdiction and control of the Treasury Department; and all books, maps, papers, instruments, and other property procured, to be used and employed in the management, survey, exploring, or conducting of said mineral lands, by the War Department, shall be delivered over and made subject to the disposition of the Secretary of the Treasury.

Control and management of the mineral lands transferred from the War to the Treasury Department.

SEC. 6. *And be it further enacted*, That the President, by and with the advice and consent of the Senate, so soon as a sufficient number of townships are surveyed, and returns thereof made to the General Land Office, to authorize the commencement of the sales in said district, shall appoint one register and one receiver for the land office in said district, who shall reside at the place designated by the President for the land office, receive such compensation, give security, and discharge all duties pertaining to such office as are prescribed by law.

President to appoint register and receiver.

(a) See Nos. 196, 197, 455, 465, 467, 469, 480, 484, 486, 490a, 503, 522, 525a, 529, 536.

(b) See Nos. 458, 518, 577.

(c) See Nos. 85, 197, 455, 467, 480, 503, 526, 535, 574, 575, 583, 584.

No. 516.—AN ACT to give the consent of Congress to the sale of certain salt spring lands heretofore granted to the States of Michigan, Illinois, and Arkansas.

March 3, 1847.
Vol. 9, p. 181.

Be it enacted, &c., That the State of Michigan shall be, and hereby is, authorized and empowered to sell, in such manner as the legislature of said State shall by law direct, the salt-spring lands granted to said State for its use, by an act entitled "An act supplementary to the act entitled An act to establish the northern boundary line of the State of Ohio, and to provide for the admission of the State of Michigan into the Union on certain condition," approved June twenty-third, eighteen hundred and thirty-six. (a)

Sale of salt-spring lands granted to State of Michigan authorized.

(a) See Nos. 458, 493, 519.

No. 517.—AN ACT providing for the examination and settlement of claims for land at the Sault Ste. Marie, in Michigan.

Sept. 26, 1850.
Vol. 9, p. 469.

Be it enacted, &c., That the register and receiver of the land office at the Sault Ste. Marie be, and they are hereby, authorized to examine and report upon claims to lots at the Sault Ste. Marie, in township forty-seven north, of ranges one east and one west, in Michigan, according to the provisions hereinafter contained, and pursuant to such instructions as may be given by the Commissioner of the General Land Office.

Register and receiver authorized to examine claims to certain lots.

SEC. 2. *And be it further enacted*, That the said commissioner shall cause the register and receiver to be furnished with a map, on a large scale, of the lines of the public surveys at the Sault Ste. Marie, and it shall be the duty of the Secretary of War to direct the proper military officer, on the application of the register and receiver, to designate, or cause to be designated, upon the map aforesaid, the position and the extent of lots necessary for military purposes, as also the position and the extent of any other lot or lots, which may be required for other public purposes, and also the position and extent of the Indian agency tract, and of the Indian reserve.

Commissioner of General Land Office to furnish the register and receiver with a large map, upon which the tracts for military and other public purposes are to be designated.

SEC. 3. *And be it further enacted*, That in the case of any person or persons, or the legal representatives of any person or persons, who are the present bona-fide claimants, under the original claims, which are entered in book number seven of the report of the board of commissioners, under the act of Congress approved twenty-first of February, eighteen hundred and twenty-three, entitled, "An act to revive and continue in force certain acts for the adjustment of land claims in the Territory of Michigan," it shall and may be lawful for such person, within one year from the passage of this act, to present a sworn notice, in writing, to the register and receiver, setting forth the nature of his claim, with the front and depth necessary to embrace his settlement and improvements, and its position and limits, as accurately as practicable, on the public surveys; also the length of time it has been settled by the present claimant, and the estimated value at the time his right

Claimants under the original claims to present a sworn notice in writing to the register, setting forth the nature of their claim, its position, and the time of occupation thereof.

Register and receiver to receive testimony. originated, and the estimated value at the present time, exclusive of improvements; and it shall be the duty of the register and receiver to receive and consider testimony, which may be presented in each case, and to call for such further testimony as they may deem necessary, in order to enable them to determine the precise nature of each claim or title and ascertain under whom the same originated, and to fix its position and extent on the public surveys, and its present value, exclusive of improvements, and also to ascertain the value of the improvements, and further to ascertain whether it interferes with any adverse claim, and the extent of, and nature of, such interference; and for the purposes aforesaid, the register and receiver are hereby authorized each to administer oaths, or affirmations, and it shall also be the duty of those officers to record all notices and testimony in support of each claim; and for administering oaths they shall be allowed a fee of twelve and a half cents, and a like sum for every hundred words of testimony which they may record, to be paid by the claimants, and equally divided between the officers aforesaid.

Register authorized to administer oaths and receive fees. SEC. 4. *And be it further enacted*, That in the case of any bona-fide claimant, who has no right under an original claim, entered in the aforesaid book number seven, but who, on the first day of January, in the year of our Lord eighteen hundred and forty-nine, had reduced a lot into possession, and is an actual and bona-fide settler thereon, or occupant thereof, it shall and may be lawful for him to file a sworn notice, stating how long he has been in the actual possession of the lot, the nature of his improvements, the extent of front and depth requisite to embrace his actual settlement and improvements, the estimated value of the lot at the time of his settlement, and its present value, exclusive of improvements, as also the value of such improvements, and also designating, as accurately as practicable, its position upon the public surveys; and it shall and may be lawful for the aforesaid officers, also, to take all necessary testimony in this class of cases in like manner, and perform similar duties as required in the foregoing section, and to receive any notice and evidence of any missionary claim from any party authorized to act, both as to the nature and extent of the same, and the grounds on which it may be entitled to equitable consideration.

Claimants without any right under original claim, but being bona-fide settlers, to file a sworn notice of the time of possession, improvements, extent, &c. SEC. 5. *And be it further enacted*, That it shall also be the duty of the land officers to examine and arrange the notices and testimony in all cases filed under this act; and the cases contemplated by the third section, which they may confirm, shall be placed in abstract A, first class, and those under that section which may be rejected by them, shall be placed in abstract A, second class; and in all cases contemplated by the fourth section of this act, the confirmation of the commissioners shall be placed in abstract B, first class, and their rejections in abstract B, second class.

Officers to arrange cases and testimony under certain classes of abstracts. SEC. 6. *And be it further enacted*, That in the aforesaid abstracts, the register and receivers shall designate the number of each claim, name of present and of original claimant, area, present value of the lot, exclusive of improvements, and the amount, which, in their opinion, it would be just to require as a payment for the same to the Government; and the said officers shall designate on the aforesaid map of the public surveys the location of each claim as near as it can be ascertained from the testimony, with the estimated actual value, and the assessment thereon of the sum which, in their judgment, should be paid for the same to the Government.

Form and contents of abstracts. SEC. 7. *And be it further enacted*, That the surveyor-general at Detroit, on being notified of the completion by the land officers of the aforesaid abstracts and map, shall despatch a skilful deputy to the Sault Ste. Marie, who shall file in the land office at that place his affidavit faithfully and impartially to discharge his duty, and thereupon there shall be delivered to him the said abstracts and map, and he shall then proceed forthwith to lay off and survey the village of Sault Ste. Marie into town lots, streets, avenues, public squares, out-lots, having regard to the lots and streets already actually surveyed, existing or established, and having regard also to the existing limits and extent of the lots, and to the existing limits and extent of the lots covered by the claims which shall have been adjudicated by the register and receiver; and after such surveys shall have been completed, the aforesaid deputy shall prepare a plat exhibiting, in connexion with the lines of the public surveys, the exterior lines of the whole village, also the squares, individual lots, and

Surveyor-general at Detroit, on being informed of completion of map and abstracts, to send a deputy to the Sault Ste. Marie, to lay off the village.

Further duties of the deputy.

the public lots, and also the out-lots, designating the lots reserved for military or other purposes, according to the extent and limits of the same, as fixed by the proper military officers, pursuant to the requirements of the second section of this act, and specifying the name of each claimant of the individual lot, and whether confirmed or rejected, the sum assessed by the register and receiver as a payment which should be made in each case by the party, and also designating the vacant in-lots and out-lots, the former of which shall be subdivided into lots not to exceed each a quarter of an acre, and the latter not to exceed two acres each; and it shall be the duty of the said deputy, from the best information he can obtain, and after conference with the land officers, to specify on the survey of each vacant lot the actual present estimated value, and it shall be the duty of the aforesaid deputy to return to the register and receiver their abstracts and map, and to submit to them his plat of the actual surveys, and if they shall be satisfied that it is in accordance with their adjudications, they shall append a certificate to that effect, and the said deputy shall then transmit the said plat with the field-notes to the surveyor-general at Detroit for examination of the work, and if that officer shall find it faithfully and properly executed, he shall allow the said deputy a per diem of five dollars for every day actually and necessarily engaged in the preliminary examination and surveys, and in the construction of the plat, and shall also pay all necessary expenses.

Compensation.

SEC. 8. *And be it further enacted*, That it shall be the duty of the surveyor-general, upon the approval of the plat, or actual survey by his deputy, to return the said plat to the register and receiver, who shall thereupon transmit the same, with their abstracts, maps, and record of testimony, to the Commissioner of the General Land Office, whose decision in every case shall be final, and binding upon the parties and the Government, and who shall have power either to affirm, modify, or reverse the decisions of the register and receiver, and to authorize them to grant a certificate upon the cash payment to the receiver, of what may be determined to be a fair assessment on the lot confirmed; and upon such payment being made, and the return of the certificate to the General Land Office, a patent shall issue. And the said register and receiver shall each receive, from the proceeds of such sales, the sum of five dollars for every claim examined and adjudicated by them under this act.

Abstracts and maps, with plat, to be transmitted to Commissioner of General Land Office, whose decision, in all cases, shall be binding.

SEC. 9. *And be it further enacted*, That it shall and may be lawful for the Commissioner to order into market, after public notice of at least two months, all vacant lots, or lots to which a claim may be rejected, and to sell the same for cash to the highest bidder, subject to a minimum of two-thirds of their estimated value; and upon such sales being made, and proper returns reported to the General Land Office, the Commissioner, if the proceedings are found regular, shall be authorized to issue patents.

Commissioner authorized to order vacant lots to be sold after public notice of two months.

SEC. 10. *And be it further enacted*, That after all the claims shall have been adjudicated, surveyed, and the vacant lots sold, it shall be the duty of the proper accounting officers of the Treasury to ascertain the net amount of sales, after deducting all expenses incident to the execution of this act, and such amount shall be paid over by the Secretary of the Treasury to the trustees, or other constituted authorities, of Salt Ste. Marie, to be expended by them in the improvements of the streets and erection of public buildings. (a)

After adjudicating claims, and selling vacant lots, all moneys received, after deducting expenses, to be paid to the authorities of Salt Ste. Marie, to be expended in public improvements.

(a) See No. 534.

No. 518.—AN ACT to reduce the minimum price of the mineral lands in the Lake Superior district in Michigan, and in the Chippewa district in Wisconsin.

Sept. 26, 1850.
Vol. 9, p. 472.

Be it enacted, &c., That the mineral lands in the Lake Superior district in Michigan, and in the Chippewa district in Wisconsin, shall be offered for public sale in the same manner, and be subject to the same minimum price, and the same rights of pre-emption as the other public lands of the United States; and such portions of the act of first March, eighteen hundred and forty-seven, "to establish a land office in the northern part of Michigan, and to provide for the sale of the mineral lands in the State of Michigan," and of the act of the third March, eighteen hundred and forty-seven, "to create an additional land district in the Territory of Wisconsin, and for other purposes," as are inconsistent with the provisions of this act, shall be, and the same are hereby, repealed: *Provided, however*, That the right given by those acts of first

Mineral lands in Michigan and Wisconsin to be offered for sale as other public lands.

Parts of acts inconsistent repealed.

Proviso.

and third March, eighteen hundred and forty-seven, to lessees, occupants, and permittees, to enter to the extent of their leases and permits, and no less, shall not be considered as impaired by this act; but said lessees, occupants, and permittees shall be authorized to enter the land covered by their leases, occupancy, and permits, respectively, as therein provided, at the minimum price fixed by this act.

Holder of a lease for more than one section entitled on surrender of said lease to purchase one full section at the minimum price.

SEC. 2. *And be it further enacted*, That the holder of a lease or permit covering more than one full section of the mineral lands, as aforesaid, shall be entitled, on the surrender and annulment of said lease or permit, at the proper land office, to purchase, if he shall elect to do so, one full section, and no more, of the land covered by said lease or permit, at a minimum price of two dollars and fifty cents per acre. (a)

(a) See Nos. 458, 515, 577.

Aug. 25, 1852.
Vol. 10, p. 30.

NO. 519.—AN ACT to confirm to the State of Michigan certain lands selected for saline purposes.

Michigan selections of certain saline lands confirmed.

Be it enacted, &c., That the selection and location by the State of Michigan of the lands lying in said State, described as sections numbered two, three, four, five, eight, nine, ten, eleven, fourteen, fifteen, twenty-one and twenty-two, in township seven north, of range fourteen east, heretofore made under and by virtue of the fourth proposition contained in the first section of an act entitled "An act supplementary to the act entitled 'An act to establish the northern boundary line of the State of Ohio, and to provide for the admission of the State of Michigan into the Union, on certain conditions,'" approved June twenty-third, eighteen hundred and thirty-six, be and the same are hereby recognized as valid and confirmed to said State, in lieu of twelve other sections which were incorrectly noted as confirmations under said act, by reason of an erroneous interpretation given, at the General Land Office, to the original list of selections. (a)

(a) See Nos. 458, 493, 516.

Aug. 26, 1852.
Vol. 10, p. 35.

NO. 520.—AN ACT granting to the State of Michigan the right of way, and a donation of public land for the construction of a ship canal around the Falls of St. Mary's, in said State.

Right to locate a canal round the Falls of St. Mary granted to Michigan.

Be it enacted, &c., That there be, and is hereby, granted to said State, the right of locating a canal through the public lands, known as the military reservation of the Falls at St. Mary's River in said State; and that four hundred feet of land in width extending along the line of such canal be, and the same is hereby granted, to be used by said State, or under the authority thereof for the construction and convenience of such canal, and the appurtenances thereto, and the use thereof is hereby vested in said State forever, for the purposes aforesaid, and no other: *Provided*, That in locating the line of said canal through said military reservation, the same shall be located on the line of the survey heretofore made for that purpose, or such other route between the waters above and below said falls, as under the approval of the Secretary of War may be selected. *And provided further*, That said canal shall be at least one hundred feet wide, with a depth of water twelve feet, and the locks shall be at least two hundred and fifty feet long, and sixty feet wide.

Proviso as to route.

Size of the canal.

750,000 thousand acres of land granted to Michigan to enable it to construct said canal.

SEC. 2. *And be it further enacted*, That there be, and hereby is granted to the said State of Michigan, for the purpose of aiding said State in constructing and completing said canal, seven hundred and fifty thousand acres of public lands, to be selected in subdivisions, agreeably to the United States surveys, by an agent or agents to be appointed by the governor of said State, subject to the approval of the Secretary of the Interior, from any lands within said State, subject to private entry.

Said lands to be applied to no other use.

SEC. 3. *And be it further enacted*, That the said lands hereby granted, shall be subject to the disposal of the legislature of said State for the purposes aforesaid and no other; and the said canal shall be, and remain a public highway for the use of the Government of the United States, free from toll or other charge upon the vessels of said Government engaged in the public service, or upon vessels employed by said Government in the transportation of any property or troops of the United States.

No toll to be charged to the United States.

Proceeds of sales of said

SEC. 4. *And be it further enacted*, That if the said canal shall not be commenced within three and completed within ten years, the said State

of Michigan shall be bound to pay to the United States, the amount which may be received upon the sale of any part of said lands by said State not less than one dollar and twenty-five cents per acre, the title to the purchasers under said State remaining valid.

SEC. 5. *And be it further enacted*, That the legislature of said State shall cause to be kept, an accurate account of the sales and net proceeds of the lands hereby granted and of all expenditures in the construction, repairs, and operating of said canal, and of the earnings thereof, and shall return a statement of the same annually to the Secretary of the Interior; and whenever said State shall be fully reimbursed for all advances made for the construction, repairs, and operating of said canal, with legal interest on all advances, until the reimbursement of the same, or upon payment by the United States, of any balance of such advances over such receipts from said lands and canal, with such interest, the said State shall be allowed to tax for the use of said canal, only such tolls as shall be sufficient to pay all necessary expenses for the care, charge, and repairs of the same.

SEC. 6. *And be it further enacted*, That before it shall be competent for said State to dispose of any of the lands to be selected as aforesaid, the route of said canal shall be established as aforesaid, and a plat or plats thereof shall be filed in the office at the War Department, and a duplicate thereof, in the office of the Commissioner of the General Land Office.

No. 521.—AN ACT for the relief of Sidney S. Alcott.

Jan. 13, 1853.
Vol. 10, p. 743.

Be it enacted, &c., That Sidney S. Alcott be, and he is hereby authorized to enter, within twelve months after the passage of this act, with the register of the land office at Ionia, in the State of Michigan, the southeast quarter of section thirty-four, township two north, of range five west; or in case the same has already been entered, then the same quantity of land belonging to the United States subject to entry in said district, which shall be in full of all claims by said Alcott against the United States for and on account of the sum of two hundred dollars paid to the receiver of said office for land, in December, eighteen hundred and thirty-six, for which he has received no equivalent.

Sidney S. Alcott allowed to enter a certain quantity of lands.

No. 522.—AN ACT establishing a land office in the lower peninsula of Michigan.

April 20, 1854.
Vol. 10, p. 375.

Be it enacted, &c., That all those parts or portions of the lower peninsula of the State of Michigan which is situated north of the line which divides townships twenty (20) and twenty-one (21) and all the portion of the upper peninsula which lies south of the line dividing townships forty-one (41) and forty-two, (42) and west of range twelve (12) west, together with all the islands in Green Bay, the straits of Mackinac, and Lakes Huron and Michigan, which are situated north of the township line first herein mentioned, and within the limits of said State exclusive of Drummond's Island and its islets, be, and the same is hereby, included in a land district to be called the Cheboygan land district; and for the sale of the lands in said district there shall be a land office established at such point therein as the President shall select.

Land district created for sale of public lands.

SEC. 2. *And be it further enacted*, That the President, by and with the advice and consent of the Senate, shall appoint one register and one receiver for the land office in said district, who shall reside at the place designated for the land office, receive such compensation, give security, and discharge all duties pertaining to such office, as are prescribed by law. (a)

Cheboygan district.
President shall establish a land office therein.
President to appoint a register and receiver in said district.
Powers, duties, and compensation.

(a) See Nos. 196, 197, 455, 465, 467, 469, 480, 484, 486, 490a, 503, 515, 525a, 529, 536.

No. 523.—AN ACT authorizing Victor Morass to relinquish certain lands, and to enter the same quantity elsewhere.

July 27, 1854.
Vol. 10, p. 797.

Be it enacted, &c., That Victor Morass be, and he is hereby, authorized to enter, without payment therefor, at any United States land office in the State of Michigan, two hundred and eighty acres of land, the same to be entered in legal subdivisions, and on any land subject to private entry at said offices, and not covered by any preemption right: *Provided*,

Victor Morass authorized to enter 280 acres of land without payment.

Proviso. That before the said Victor Morass shall have the benefit of the provisions of this act, he shall file with the Secretary of the Interior, in such form as shall be prescribed by said Secretary, good and sufficient deed or deeds of release to the United States, executed by himself, and all persons having rights thereto through or under him, of all the premises mentioned and described in the Report of the Commissioners on Land Claims in Michigan as claim "No. 1," in "Book 5," in the "American State Papers," "Public Lands," volume four, page seven hundred and ninety-eight; which claim was confirmed to said Morass by "An act to confirm certain claims to lands in the Territory of Michigan," approved April seventeen, eighteen hundred and twenty-eight.

Certain release to be first executed by him.

July 27, 1854.
Vol. 10, p. 838.

No. 524.—AN ACT for the relief of Joseph Campau.

Patent to be issued to J. Campau for certain land in Michigan. *Be it enacted, &c.,* That the Commissioner of the General Land Office cause a patent to be issued to Joseph Campau, for the tract of land lying in township number six north, of range seventeen east, in the State of Michigan, and described as follows, to wit: sixteen arpens by forty French measure, commencing at a point on the south border of the river Au Delude, about two miles from its confluence with the river St. Clair, and thence up stream, upon said river Delude, sixteen arpens; at right angles with the said river Delude, to the distance of forty arpens; thence in rear sixteen arpens; thence to the place of beginning by a line of forty arpens in length.

When to be surveyed. **Patent to issue.** **Proviso.** *SEC. 2. And be it further enacted,* That if the above description be not sufficiently definite, as to determine the precise boundaries of the said lands, the said Commissioner shall cause the said tract of land to be surveyed without delay, and upon the filing of the said survey, together with a plat thereof, in the proper office, the said Commissioner shall cause to be issued to the said Joseph Campau a patent for the lands so described in such survey: *Provided,* That this act shall only be construed to be a relinquishment on the part of the United States, and shall not interfere with the rights of third persons. (a)

(a) See Nos. 506, 508.

Feb. 21, 1855.
Vol. 10, p. 857.

No. 525.—AN ACT for the relief of Henry H. Marsh.

Henry H. Marsh authorized to relinquish certain land, and apply the purchase money to other land. *Be it enacted, &c.,* That Henry H. Marsh be, and he is hereby, authorized to relinquish to the United States the east half of the northeast quarter of section number four, of township number eight south, of range number thirteen west, in the district of lands subject to sale at Kalamazoo, in the State of Michigan, entered by him by mistake, on or about the twenty-first day of July, eighteen hundred and thirty-six, and to apply the money paid for said tract to the purchase of any other lands that may be subjected to entry at private sale, at the minimum price of one dollar and twenty-five cents per acre.

April 5, 1856.
Vol. 11, p. 2.

No. 525a.—AN ACT to continue temporarily the land offices at Kalamazoo, in the State of Michigan, and at Palmyra, in the State of Missouri.

Land office and officers continued at Kalamazoo, Michigan. *Be it enacted, &c.,* That the offices of the register and receiver of the land office at Kalamazoo, in the State of Michigan, and the office itself, shall be continued until such time as, in the opinion of the President, the same can be discontinued without prejudice to the public interests. And that until that time, the act of Congress approved June twelfth, eighteen hundred forty, shall not apply to the said office or officers.

Pay of officers. *SEC. 2. And be it further enacted,* That the compensation of the said register and receiver shall be allowed them agreeably to law, during the time of discontinuance under the existing order. (a)

Same provisions as to Palmyra, Missouri. *SEC. 3. And be it further enacted,* That the provisions of section one and two of this act are hereby made applicable to the land office at Palmyra, in the State of Missouri, and the register and receiver thereof.

(a) See Nos. 196, 197, 455, 465, 467, 469, 480, 484, 486, 490a, 503, 515, 522, 529, 536.

No. 526.—AN ACT making a grant of alternate sections of the public lands, to the State of Michigan, to aid in the construction of certain railroads in said State, and for other purposes.

June 3, 1856.
Vol. 11, p. 21.

Be it enacted, &c., That there be and hereby is granted to the State of Michigan, to aid in the construction of railroads from Little Bay de Noquet to Marquette, and thence to Ontonagon, and from the two last named places to the Wisconsin State line; and also from Amboy, by Hillsdale and Lansing, and from Grand Rapids to some point on or near Traverse Bay; also from Grand Haven and Pere Marquette to Flint, and thence to Port Huron, every alternate section of land designated by odd numbers; for six sections in width on each side of each of said roads; but in case it shall appear that the United States have, when the lines or routes of said roads are definitely fixed, sold any section or any part thereof granted as aforesaid, or that the right of preëmption has attached to the same, then it shall be lawful for any agent or agents, to be appointed by the governor of said State, to select, subject to the approval of the Secretary of the Interior, from the lands of the United States nearest to the tiers of sections above specified, so much land in alternate sections or parts of sections as shall be equal to such lands as the United States have sold or otherwise appropriated, or to which the right of preëmption has attached as aforesaid; which lands (thus selected in lieu of those sold, and to which preëmption rights have attached as aforesaid, together with the sections and parts of sections designated by odd numbers as aforesaid, and appropriated as aforesaid) shall be held by the State of Michigan for the use and purpose aforesaid: *Provided*, That the lands to be so located shall in no case be further than fifteen miles from the lines of said roads, and selected for, and on account of each of said roads; *Provided further*, That the lands hereby granted shall be exclusively applied in the construction of that road for and on account of which such lands are hereby granted, and shall be disposed of only as the work progresses, and the same shall be applied to no other purpose whatsoever: *And provided further*, That any and all lands heretofore reserved to the United States by any act of Congress, or in any other manner, by competent authority, for the purpose of aiding in any object of internal improvement, or for any other purpose whatsoever, be and the same are hereby reserved to the United States from the operations of this act, except so far as it may be found necessary to locate the routes of said railroads through such reserved lands, in which case, the right of way only shall be granted, subject to the approval of the President of the United States.

Grant of land to Michigan for railroads.

Grant in lieu of sections sold or pre-empted.

Land how applied.

Act not to apply to reservations, except as to right of way.

SEC. 2. *And be it further enacted*, That the sections and parts of sections of land which, by such grant, shall remain to the United States, within six miles on each side of each of said roads, shall not be sold for less than double the minimum price of the public lands when sold; nor shall any of said lands become subject to private entry until the same have been first offered at public sale at the increased price. (a)

Price of alternate sections doubled.

SEC. 3. *And be it further enacted*, That the said lands hereby granted to the said State, shall be subject to the disposal of the legislature thereof, for the purposes aforesaid and no other; and the said railroads shall be and remain public highways for the use of the Government of the United States, free from toll or other charge upon the transportation of any property or troops of the United States.

Object of grant.

Railroads to be a public highway for Government.

SEC. 4. *And be it further enacted*, That the lands hereby granted to said State shall be disposed of by said State only in manner following, that is to say: That a quantity of land not exceeding one hundred and twenty sections for each of said roads, and included within a continuous length of twenty miles of each of said roads, may be sold; and when the governor of said State shall certify to the Secretary of the Interior that any twenty continuous miles of any of said roads is completed, then another quantity of land hereby granted, not to exceed one hundred and twenty sections for each of said roads having twenty continuous miles completed as aforesaid, and included within a continuous length of twenty miles of each of such roads may be sold; and so from time to time until said roads are completed; and if any of said roads is not completed within ten years no further sales shall be made, and the lands unsold shall revert to the United States. (b)

Lands how disposed of.

SEC. 5. *And be it further enacted*, That the United States mail shall be transported over said roads, under the direction of the Post-Office Department, at such price as Congress may, by law, direct: *Provided*,

Transportation of mails.

That until such price is fixed by law, the Postmaster-General shall have the power to determine the same.

(a) See Nos. 85, 197, 455, 467, 480, 503, 515, 535, 574, 575, 583, 524.

(b) See Nos. 531, 535, 538, 539, 540, 542, 544, 545, 548, 552, 553, 567, 568, 569, 573, 575, 583, 594.

Aug. 16, 1856.
Vol. 11, p. 466.

No. 527.—AN ACT for the relief of Joseph Smith.

Be it enacted, &c., That Joseph Smith is hereby authorized to locate, free of cost, one hundred and sixty acres of land, according to the legal subdivisions, on any of the public lands of the United States subject to private entry, in lieu of a location made by the said Smith on the west half of the southwest quarter of section twenty-five, and the east half of the southwest quarter of section twenty-six, in the township seven south, of range fifteen west, in the Kalamazoo land district, in the State of Michigan, as assignee of military land-warrant, number fifty-five thousand and ninety-nine, and which location was cancelled by the Commissioner of the General Land Office.

Patent to issue. **SEC. 2.** *And be it further enacted,* That the Commissioner of the General Land Office, upon the receipt of the certificate of location from the register of the proper land office, shall issue a patent to the said Joseph Smith, for the lands so located.

March 2, 1857.
Vol. 11, p. 503.

No. 528.—An act for the relief of the heirs of Jacques Godfroy.

Be it enacted, &c., That a patent be and the same is hereby directed to be issued to the heirs of Jacques Godfroy, for a second concession, (numbered nineteen,) in rear of the front grant on Detroit River, patented to said heirs July twenty-four, eighteen hundred and eleven, according to the survey of said second concession made by deputy surveyor Joseph Fletcher, in July, eighteen hundred and twenty-two, and returned into the land office by the surveyor-general, and contained in the patent certificate numbered three hundred and thirteen, issued by the register of the land office at Detroit, dated April sixteen, eighteen hundred and fifty-five.

Land patent to
issues to heirs of
Jacques God-
froy.

May 11, 1858.
Vol. 11, p. 286.

No. 529.—AN ACT to enlarge the Detroit and Saginaw land districts in Michigan.

Be it enacted &c., That all that part of the present Cheboygan district, in the State of Michigan, which lies south of the line dividing townships twenty-eight and twenty-nine north, and east of the line dividing ranges two and three west, shall be attached to and form a part of the present Saginaw district, and all that part of the said Cheboygan district which lies north of the line dividing townships twenty-eight and twenty-nine north, and east of the line dividing ranges one and two west, (a) including the island of Mackinac, be attached to and form a part of the Detroit district, in said State. (b)

When act takes effect. **SEC. 2.** *And be it further enacted,* That this act take effect from and after the first day of July next.

(a) See No. 530.

(b) See Nos. 196, 197, 455, 465, 467, 469, 480, 484, 486, 490a, 503, 515, 522, 525a, 536.

June 2, 1858.
Vol. 11, p. 370.

No. 530.—A RESOLUTION to correct an error in a certain act approved May eleventh, eighteen hundred and fifty-eight.

Resolved, &c., That an error in the act approved May eleventh, eighteen hundred and fifty-eight, entitled "An act to enlarge the Detroit and Saginaw land districts in the State of Michigan," be corrected, by extending the limits of that portion of the Cheboygan district which has been attached to the Detroit district, to the line dividing ranges two and three west, instead of one and two west, the former being the line intended by the Department as the western boundary of the addition to the Detroit district. (a)

(a) See No. 529.

True western
boundary of De-
troit district.

No. 531.—AN ACT granting the right of way over, and depot grounds on, the military reserve at Fort Gratiot, in the State of Michigan, for railroad purposes.

Feb. 8, 1859.
Vol. 11, p. 381.

Be it enacted, &c., That the right of way through and the privilege of constructing depots and workshops on the public lands of the United States lying in the county of St. Clair, State of Michigan, commonly called the Fort Gratiot military reservation, be, and the same is hereby, granted to any railroad company or companies which may construct a railroad or railroads from the city of Detroit, or any other place in said State, to or near the village of Port Huron, in said State: (a) *Provided*, That in the opinion of the President of the United States such grant or grants be not injurious to the purposes of public defence, and that the location of said buildings on, and such road or roads as to position and width through said reservation, and the price of the land to be so occupied, being first determined by the Secretary of War, be approved by the President: *And provided, further*, That if the price of such grant or grants be not paid within thirty days after the approval of the President, or if either of said roads shall not be completed within three years, or if, at any time after its completion, it shall be discontinued, the grant shall cease and determine as to such road: *And provided, further*, That all the buildings to be erected upon said reservation shall be of wood, and if, at any time, it should be deemed expedient by the commanding officer of Fort Gratiot, or by any other higher military authority, to destroy such buildings by fire or otherwise, no claim shall be made against the United States for damages. (b)

Right of way granted.

Proviso.

Proviso: in what cases the grant shall be determined.

Proviso, as to buildings.

(a) See Nos. 526, 535, 538, 539, 540, 542, 544, 545, 548, 552, 553, 567, 568, 569, 573, 575, 593, 594.

(b) See Nos. 533, 546, 551, 555, 558, 559, 576, 578, 580, 594.

No. 532.—AN ACT authorizing the courts to adjudicate the claim of the legal representatives of the Sieur de Bonne and of the Chevalier de Repentigny to certain land at the Sault Ste. Marie, in the State of Michigan.

April 19, 1860.
Vol. 12, p. 838.

Be it enacted, &c., That the legal representatives of the Sieur de Bonne and of the Chevalier de Repentigny be, and they are hereby, authorized to present their petition to the United States district court for the district of Michigan, setting forth the nature of their claim to certain land at the Sault Ste. Marie, in the State of Michigan, under an alleged grant, in seventeen hundred and fifty, from the governor and lieutenant-general and from the intendant-general of New France, now Canada, with evidence in support of their claim; stating the names, as near as may be, of all persons claiming adversely, and praying that the validity of the title may be inquired into and decided under the laws of nations, the laws, usages, and customs of the country from which the same was derived, and the treaties and laws of the United States; and the said court is hereby authorized to examine the same, and, in adjudicating the question of the validity of the title as against the United States, to be governed by the laws of nations and of the country from which the title was derived, and also by the principles, so far as they are applicable, which are recognized in the act of Congress approved the twenty-sixth May, eighteen hundred and twenty-four, "enabling the claimants to lands within the limits of the State of Missouri and Territory of Arkansas to institute proceedings to try the validity of the same;" and the district attorney is hereby directed to proceed, in defence of the interests of the United States in all things, as required and directed by the aforesaid act of twenty-sixth May, eighteen hundred and twenty-four: *Provided*, That suit shall be instituted by the claimants within two years from the passage of this act, and that an appeal may be taken, either by the claimants or the United States, to the Supreme Court of the United States within one year from the date of the rendition of the decree of the district court aforesaid.

The legal representatives of Sieur de Bonne and the Chevalier de Repentigny may institute a suit to recover certain land in Michigan in the Federal courts of that State.

District attorney to defend the interests of the United States.

Suit to be brought within two years.

Either party may appeal to Supreme Court.

If decision of court is adverse to the claim.

If in favor thereof.

SEC. 2. *And be it further enacted*, That in the case of a final decision under this act against the validity of the said claim, or in case of the failure of claimants to prosecute it within the period specified, the said claim shall be held forever barred, both in law and equity; but in the case of a final decree in favor of the validity of the grant, it shall not be construed to affect or in any way impair any adverse sales, claims, or other rights which have been recognized by the United States within the limits of the said claim, or which, under any law of the United States may have heretofore been brought to the notice of the land com-

missioners or of the land officers in Michigan, or any of the land granted to the State of Michigan, or occupied by it, for the Sault Ste. Marie Canal, its tow-path and appurtenances, but for the area of any such adverse claims the legal representatives of the said De Bonne and Repentigny shall receive from the Commissioner of the General Land Office warrants authorizing them or their assigns to enter any other lands belonging to the United States, and subject to entry at private sale at one dollar and twenty-five cents per acre, which warrants shall be for sections or legal subdivisions of sections, at the option of the parties entitled to receive them. (a)

(a) See Nos. 197, 454, 455, 457, 461, 464, 466, 474, 514.

June 23, 1860.
Vol. 12, p. 83.

Part of military reservation granted to Port Huron for a cemetery.

No. 533.—AN ACT to grant to the city of Port Huron, Michigan, a part of the military reservation of Fort Gratiot, for the enlargement of the city cemetery at that place.

Be it enacted, &c., That the Secretary of War be, and he is hereby, authorized and required to convey to the city of Port Huron, Michigan, of the military reservation of Fort Gratiot, a lot not to exceed thirty acres, to be taken from the land adjoining the city cemetery and to be used for its enlargement and for no other purpose, so far and under such conditions and reservations as in the opinion of the Secretary of War the public interest present or prospective may require. (a)

(a) See Nos. 531, 546, 551, 555, 558, 559, 576, 578, 580, 594.

June 22, 1860.
Vol. 12, p. 88.

Missionary claims to be confirmed as claims of individuals.

No. 534.—AN ACT in relation to mission claims at Sault Ste. Marie, Michigan.

Be it enacted, &c., That the missionary claims referred to in the fourth section of the act of twenty-sixth September, eighteen hundred and fifty, entitled "An act providing for the examination and settlement of claims for land at the Sault Ste. Marie, Michigan," and reported upon by the register and receiver at Sault Ste. Marie, pursuant to said act, shall be entitled to recognition and confirmation in the same manner and on the same terms as claims of individuals therein provided for; and upon the final approval of the said claims, as provided in the eighth section of the act aforesaid, patents shall be issued therefor. (a)

(a) See No. 517.

July 5, 1862.
Vol. 12, p. 620.

Words "Wisconsin State line," in act 1856, how to be construed.

No. 535.—JOINT RESOLUTION relative to a certain grant of land for railroad purposes made to the State of Michigan in eighteen hundred and fifty-six.

Resolved, &c., That the words "Wisconsin State line," in the first section of an act entitled "An act making a grant of lands to the State of Michigan, in alternate sections, to aid in the construction of railroads in said State," approved June third, eighteen hundred and fifty-six, shall, without forfeiture to said State or its assigns of any rights or benefits under said act, or exemption from any of the conditions or obligations imposed thereby, be construed to authorize the location of the line of railroad provided for in said act from Marquette, on Lake Superior, to the Wisconsin State line, upon any eligible route from the township of Marquette aforesaid, to a point on the Wisconsin State line, near the mouth of the Menomonee River, and touching at favorable points on Green Bay, with a view of securing a railroad available for military purposes from Green Bay to the waters of Lake Superior. And the line of railroad as now located in pursuance of said act from Marquette to the Wisconsin State line, according to the records of the General Land Office, is hereby authorized to be changed so as to conform to the route above indicated; which line, when surveyed and the maps and plans thereof filed in the proper office, as required under said act of June third, eighteen hundred and fifty-six, shall confer the same rights upon and benefits to the State of Michigan and its assigns in said new line, as though the same had been originally located under said act. (a)

Line now located may be changed.

SEC. 2. *And be it further resolved,* That the provisions of an act of Congress, approved August fourth, eighteen hundred and fifty-two, entitled "An act to grant the right of way to all rail and plank roads and McAdamized turnpikes passing through the public lands belonging

to the United States," be, and the same are hereby, extended so as to be applicable to the new line of railroad so as above to be located: *Provided*, The same shall be commenced within two years from the fourth day of August, eighteen hundred and sixty-two, and shall be completed within five years thereafter.

Proviso.

SEC. 3. *And be it further resolved*, That the Secretary of the Interior be, and he is hereby, authorized to cause all even sections or parts of even sections of public lands that may be brought within six miles of the new line of railroad, as herein provided for, to be sold at the same price and in the same manner those have or might have been, according to the said act of June third, eighteen hundred and fifty-six, upon the originally located route of railroad. And all purchasers, or their heirs or assigns, within the six-mile limits of said originally located route, who shall be more than six miles from the new line of route hereby authorized, and who have paid the sum of two dollars and fifty cents an acre, shall have the right either to exchange their locations upon the line as first established to the new line upon the same terms, in like quantities, and in the same manner, as on the line first established, as aforesaid, or at their option to enter, without further payment, anywhere within the Marquette land district, in the State of Michigan, or that of the Grand Traverse land district, in said State, lying north or west of Lake Michigan, an additional quantity of public lands subject to private entry, at one dollar and twenty-five cents an acre, equal to the quantity entered by them at two dollars and fifty cents per acre, so that the lands originally entered by them shall be thus reduced to the rate of one dollar and twenty-five cents an acre.

Price of land bordering on railroad.

Purchasers on old line, may exchange lands.

SEC. 4. *And be it further resolved*, That the even sections of public lands reserved to the United States by the aforesaid act of June third, eighteen hundred and fifty-six, along the originally located route of the Marquette and Wisconsin State Line Railroad Company, except where such sections shall fall within six miles of the new line of road so as aforesaid proposed to be located, and along which no railroad has been constructed, shall hereafter be subject to sale at one dollar and twenty-five cents per acre. (b)

Public lands on old line to be sold for \$1.25 per acre.

SEC. 5. *And be it further resolved*, That upon the filing in the General Land Office of the lists of said railroad lands, in whole or in part, as now selected and certified in the General Land Office, with the certificate of the governor of the State of Michigan, under the seal of the State, that said State and its assigns surrender all claim to the lands, as aforesaid, set forth and described in the lists thereof thus certified, and that the same have never been pledged or sold or in anywise encumbered, then the State of Michigan or its assigns shall be entitled to receive a like quantity of land, selected in like manner, upon the new line of road as thus surrendered upon the first line, and to the extent of six sections per mile in the aggregate for every mile of the new line, according to the general provisions of the act of June third, eighteen hundred and fifty-six. And it shall be the duty of the Commissioner of the General Land Office to reoffer for public sale, in the usual manner, the lands embraced in the lists of surrendered lands aforesaid, when duly filed in his office, as herein directed.

Rights of the State of Michigan in such lands.

(a) See Nos. 526, 531, 538, 539, 540, 542, 544, 545, 548, 552, 553, 567, 568, 569, 573, 575, 593, 594.

(b) See Nos. 85, 197, 455, 467, 480, 503, 515, 526, 574, 575, 583, 584.

NO. 536.—AN ACT to enlarge the Lake Superior land district, in the State of Michigan.

July 16, 1862.
Vol. 12, p. 587.

Be it enacted, &c., That all that portion of the present "Cheboygan district," in the State of Michigan, lying west of Lake Michigan and south of the line dividing townships forty-one and forty-two north, including Saint Martin's and the adjacent islands near the entrance to "Big Bay De Noc," now forming a part of the present Cheboygan district, and subject to sale at Traverse City, in said State, be, and the same is hereby, attached to the "Lake Superior district," and the lands therein be subject to sale and entry at the site of the land office for said district. (a)

Part of Cheboygan district added to Lake Superior district.

SEC. 2. *And be it further enacted*, That this act shall not take effect until three months after the date of its approval.

When act to take effect.

(a) See Nos. 196, 197, 455, 465, 467, 469, 480, 484, 486, 490a, 503, 515, 522, 525a, 529.

March 3, 1863.
Vol. 12, p. 797.

No. 537.—AN ACT granting lands to the States of Michigan and Wisconsin to aid in the construction of a "military road" from Fort Wilkins, Copper Harbor, Keweenaw County, in the State of Michigan, to Fort Howard, Green Bay, in the State of Wisconsin.

Land granted to Michigan and Wisconsin, to aid in the construction of a military wagon-road.

Be it enacted, &c., That there be, and is hereby, granted to the State of Michigan, to aid in the construction of a military wagon-road from Fort Wilkins, Copper Harbor, to Houghton, Portage Lake, and thence, in a southerly direction, to the State line of Wisconsin, every alternate section of public land, designated by even numbers, for three sections in width, on each side of said road, and also a like quantity, to be taken and designated in same manner, to the State of Wisconsin, to aid in the construction of a like road from the last-mentioned place on the State line of Wisconsin to Fort Howard, Green Bay, in the said State of Wisconsin.

If any land granted has been sold, &c., an equivalent amount to be given in lieu thereof.

But in case it shall appear that the United States have, when the line or route of said road is definitely fixed, sold any section, or any part thereof, granted as aforesaid, or that the right of preëmption or homestead settlement has attached to the same, then it shall be the duty of the Secretary of the Interior to set apart from the public lands of the United States, as near to said even sections aforesaid as may be, so much land as shall be equal to such lands as the United States have sold, or otherwise appropriated, or to which the right of preëmption or homestead settlement has attached; which lands, (thus selected in lieu of those sold, and to which the right of preëmption or homestead settlement has attached as aforesaid,) together with the sections and parts of sections designated by even numbers as aforesaid, and approved as aforesaid, shall be held by the States of Michigan and Wisconsin for the use and purposes aforesaid: *Provided*, That the lands to be selected

Lands not to be over fifteen miles from the road, to be applied solely to the construction of the road.

for and on account thereof shall in no case be further than fifteen miles from said road: *Provided, further*, That the lands hereby granted shall be exclusively applied in the construction of that road for and on account of which such lands are hereby granted, and shall be disposed of only as the work progresses, and the same shall be applied to no other purposes whatever: *And provided, further*, That any and all lands heretofore reserved to the United States by any act of Congress, or in any other manner by competent authority, for the purpose of aiding in any object of internal improvement, or for any other purposes whatsoever, be, and the same are hereby, reserved to the United States from the operation of this act, except so far as it may be found necessary to locate the route of said road through such reserved lands; in which case the right of way only shall be granted.

Reserved lands not within this act, except for location of road.

And provided, further, That any and all lands heretofore reserved to the United States by any act of Congress, or in any other manner by competent authority, for the purpose of aiding in any object of internal improvement, or for any other purposes whatsoever, be, and the same are hereby, reserved to the United States from the operation of this act, except so far as it may be found necessary to locate the route of said road through such reserved lands; in which case the right of way only shall be granted.

Lands subject to the disposal of the legislature.

SEC. 2. *And be it further enacted*, That the said lands hereby granted to the said States shall be subject to the disposal of the legislature thereof, for the purposes aforesaid, and no other; and the said road shall be and remain [a] public highway for the use of the Government of the United States, free from tolls or other charge upon the transportation of any property, troops, or mails of the United States.

Road to be a public highway, and free to the United States.

Mode of disposing of the lands.

SEC. 3. *And be it further enacted*, That the lands hereby granted to said States shall be disposed of only in the following manner, that is to say: That a quantity of land, not exceeding thirty sections, for said road, may be sold; and when the governors of said States shall certify to the Secretary of the Interior that any ten continuous miles of said road are completed, then another quantity of land, hereby granted, not to exceed thirty sections for said road, having ten continuous miles completed as aforesaid, may be sold, and so, from time to time, until the said road is completed; and if said road is not completed within five years, no further sales shall be made, and the lands unsold shall revert to the United States.

Mode of constructing the road.

SEC. 4. *And be it further enacted*, That said military road shall be constructed with sufficient drains and ditches, and not less than forty feet in width, with a grade not less than sixteen feet wide, with such graduation and bridges as shall permit of its regular use as a wagon road in all seasons of the year, and in such other special manner as the States of Michigan and Wisconsin may prescribe. (a)

(a) See Nos. 541, 554, 560, 571.

No. 538.—AN ACT to amend an act entitled "An act making a grant of alternate sections of [the] public lands to the State of Michigan to aid in the construction of certain railroads in said State, and for other purposes.

June 7, 1864.
Vol. 13, p. 119.

Be it enacted, &c., That the act entitled "An act making a grant of alternate sections of [the] public lands to the State of Michigan to aid in the construction of certain railroads in said State, and for other purposes," be and the same is hereby, amended as follows, namely: Substitute for the words "and from Grand Rapids to some point on or near Traverse Bay," contained in the first section of said act, these words: And from Fort Wayne, in the State of Indiana, to a point on the southern boundary line of the State of Michigan, in the township of Sturgis, thence, by way of Grand Rapids, to some point on or near Traverse Bay. And the said act shall be, and is hereby, so amended as to substitute for the first clause of the first proviso in the first section thereof, so far as the same shall be applicable to the grant of lands made to aid in the construction of the railroad described by the foregoing amendment, these words: *Provided*, That the lands so to be selected shall in no case be further than twenty miles from the line of said road: *Provided, further*, That the time specified in the 4th section of the act hereby amended for the completion of said road shall not be extended.

Amendment of former act granting land to Michigan for railroads.

Location changed.

Limit of selection of lands.
Time not to be extended.

SEC. 2. *And be it further enacted*, That the lands granted by the act amended by this act, and also by the provisions of this act, to aid in the construction of the railroad described in the foregoing section, shall be disposed of only in the following manner, that is to say, when the governor of the State of Michigan shall certify to the Secretary of the Interior that ten consecutive miles of said road have been completed in a good and substantial manner as a first-class railroad, indicating definitely where said completed section commences and where the same terminates, the said secretary shall cause patents to issue to said State for so much of said lands as are located opposite to, and coterminous with, said completed section of said road, and so from time to time for each completed section of ten miles of said road until the whole shall be completed. (a)

Lands granted, how only to be disposed of.

(a) See Nos. 526, 531, 535, 539, 540, 542, 544, 545, 548, 552, 553, 567, 568, 569, 573, 575, 593, 594.

No. 539.—AN ACT extending the time for the completion of the Marquette and Ontonagon Railroad, of the State of Michigan.

June 18, 1864.
Vol. 13, p. 137.

Be it enacted, &c., That the time limited for the completion of the Marquette and Ontonagon Railroad, of the State of Michigan, be, and the same is hereby, extended for the term of five years beyond the time fixed for its completion by the act of Congress of June third, A. D. eighteen hundred and fifty-six, entitled "An act making a grant of alternate sections of the public lands to the State of Michigan to aid in the construction of certain railroads in said State, and for other purposes:" *Provided*, That the State of Michigan shall have the same control over the said grant of lands hereby extended for five years, for the benefit of said railroad, which was given to said State under said original act of Congress; and said State may prescribe the time within which the several sections of said road shall be completed. (a)

Time for completing the Marquette and Ontonagon Railroad extended.

Proviso.

(a) See Nos. 526, 531, 535, 538, 540, 542, 544, 545, 548, 552, 553, 567, 568, 569, 573, 575, 593, 594.

No. 540.—A RESOLUTION explanatory of an act entitled "An act extending the time for the completion of the Marquette and Ontonagon Railroad of the State of Michigan."

June 18, 1864.
Vol. 13, p. 409.

Resolved, &c., That the provisions of the act entitled "An act extending the time for the completion of the Marquette and Ontonagon Railroad of the State of Michigan," shall be so construed as to extend the time for completing only so much of said road as lies between Marquette and Ontonagon. (a)

Construction of act concerning the Marquette and Ontonagon Railroad.

(a) See Nos. 526, 531, 535, 538, 539, 542, 544, 545, 548, 552, 553, 567, 568, 569, 573, 575, 593, 594.

June 20, 1864.
Vol. 13, p. 140.

No. 541. AN ACT granting lands to the State of Michigan for the construction of certain wagon roads for military and postal purposes.

Lands granted to Michigan for wagon road from Saginaw to the Straits of Mackinaw.

From Grand Rapids to Straits of Mackinaw.

If any lands granted are reserved, others to be given in lieu thereof.

Lands, how to be applied and disposed of.

Lands heretofore reserved, excepted from the operation of this act.

Rights of way granted.

Wagon roads, how located and constructed.

Land granted, when to be withheld from market.

Patents for granted lands, when to issue. Proviso.

Express conditions of grant.

Be it enacted, &c., That there be, and hereby is, granted to the State of Michigan, for the construction of a wagon road for military and postal purposes, from Saginaw City, in said State, by the shortest and most feasible route to the Straits of Mackinaw, every alternate or odd section of public land not mineral, for three miles in width on each side of said road to the extent of three sections to the mile. Also for a road from Grand Rapids, in said State, through Newaygo, Traverse City, and Little Traverse, to the Straits of Mackinaw, every alternate or odd section of public land, not mineral, for three sections in width on each side of said road to the extent of three sections to the mile. And it is hereby provided that in case it shall appear that the United States shall have (when the lines or routes of said roads are definitely established) sold or reserved any sections or parts of sections, granted as aforesaid, or that the rights of preëmption or homestead have attached to the same, so as to leave a deficiency in the amount to be selected within the limits designated, then it shall be the duty of the Secretary of the Interior to select such lands from the odd sections, or parts of sections, nearest to the three-mile limits aforesaid, such quantity as shall be necessary to make up the deficiency thus created: *Provided, further,* That the lands hereby granted shall be exclusively reserved, held, and applied in the construction of said roads, and shall be appropriated and disposed of only as the work progresses, in quantities and under such regulations and restrictions as the State shall provide; and in no event shall they be appropriated or disposed of for any other purpose whatsoever.

SEC. 2. And be it further enacted, That any and all lands heretofore reserved to the United States by any act of Congress, or in any other manner by competent authority, for any public work, or for any other purpose whatsoever, be, and the same are hereby, reserved to the United States from the operation of this act, except so far as it may be necessary to locate the routes of said roads through such reserved lands; in which case the rights of way shall be, and are hereby, granted, subject to the approval of the President of the United States.

SEC. 3. And be it further enacted, That said roads shall be located, surveyed, and constructed, under the direction of such agents or commissioners as the governor may appoint, and shall be chopped out a uniform width of at least six rods. The road-bed proper to be not less than thirty-two feet wide, and constructed with ample ditches on both sides, so as to afford sufficient drains, with good and substantial bridges and proper culverts and sluices where necessary. All stumps and roots to be thoroughly grubbed out between the ditches the entire length of said road, the central portion of which to be sufficiently raised to afford a dry road-bed by means of drainage from the centre to the side ditches; the hills to be levelled and valleys raised so as to make as easy a grade as practicable.

SEC. 4. And be it further enacted, That when the governor of the State of Michigan shall furnish the Secretary of the Interior with maps and charts showing the definite location of the line of each of said roads, it shall be his duty to have the land granted to each of said roads withheld from market, and reserved exclusively for the purposes aforesaid. And when the said governor shall certify to the Secretary of the Interior that any ten consecutive miles of either of said roads have been completed under the provisions of this act, and in accordance with the third section thereof, stating definitely where said completed section of road commences and where it terminates, it shall be the duty of the said Secretary to cause patents to issue to said State for three sections of land for each mile of road thus completed, as aforesaid, and so on until the whole of said roads is completed: *Provided,* That no patents shall be given for any of the aforesaid lands before the completion of ten consecutive miles of road, or for any road, or for any part of any road, made before the passage of this act, or for any greater quantity than thirty sections for each ten miles completed according to the provisions of this act. Nothing in this proviso, however, shall be construed so as to prevent the application of so much of the said three sections per mile as may be necessary to finish any part of said roads partly made before the passage of this act.

SEC. 5. And be it further enacted, That this grant is made upon the express conditions that the roads shall be and remain public highways,

free from all toll and other charges; and that if any portion of said roads shall remain uncompleted for a period of more than five years from the approval of this act by the President, the lands granted for such portion shall revert to the United States. (a)

(a) See Nos. 537, 554, 560, 571.

No. 542.—A RESOLUTION to extend the time for the reversion to the United States of the lands granted by Congress to aid in the construction of a railroad from Pere Marquette to Flint, and for the completion of said road. Feb. 17, 1865. Vol. 13, p. 569.

Resolved, &c., That the time specified in the fourth section of the act of Congress approved June three, eighteen hundred and fifty-six, entitled "An act making a grant of alternate sections of the public lands to the State of Michigan to aid in the construction of certain railroads in said State, and for other purposes," for the reversion to the United States of the lands granted by said act to aid in the construction of a railroad from Pere Marquette to Flint, and for the completion of said road, be, and the same is hereby, extended for the term of five years. (a)

(a) See Nos. 526, 531, 535, 538, 539, 540, 544, 545, 548, 552, 553, 567, 568, 569, 573, 575, 593, 594.

No. 543.—AN ACT granting land to the State of Michigan, to aid in building a harbor and ship canal at Portage Lake, Kewenaw Point, Lake Superior. March 3, 1865. Vol. 13, p. 519.

Be it enacted, &c., That there be, and is hereby, granted to the State of Michigan the right of locating and constructing a breakwater and harbor and ship canal through any public lands at or upon the neck of land on Lake Superior known as "The Portage." *Provided*, That not more than one thousand feet in width on the bank of Lake Superior shall be occupied by said breakwater and harbor, and that a strip of land not more than four hundred feet in width on said neck of land shall be occupied by said canal: *And provided, further*, That said ship canal shall be at least one hundred feet in width, with a depth of water not less than thirteen feet.

SEC. 2. *And be it further enacted*, That there be, and hereby is, granted to the said State of Michigan, for the purpose of aiding said State in constructing and completing a harbor and ship canal to connect the waters of Lake Superior with the waters of Portage Lake, two hundred thousand acres of public lands, to be selected in subdivisions agreeably to the United States survey, by an agent or agents appointed by the governor of said State, subject to the approval of the Secretary of the Interior, from any lands in the upper peninsula of said State, subject to private entry: *Provided*, That said selections shall be made from alternate and odd-numbered sections of land nearest the location of said canal in said upper peninsula, not otherwise appropriated, and not from lands designated by the United States as "mineral" before the passage of this act, nor from lands to which the rights of preëmption or homestead have attached.

SEC. 3. *And be it further enacted*, That the said lands hereby granted shall be subject to the disposal of the legislature of said State, or, if the legislature thereof shall not be in session, or shall adjourn within ten days after the passage and approval of this act, then said lands shall be subject to the disposal of the governor and board of control of said State, for the purpose aforesaid and for no other; and the said canal shall be and remain a public highway for the use of the Government of the United States, free from toll or charge upon the vessels of said Government, or upon vessels employed by said Government in the transportation of any property or troops of the United States.

SEC. 4. *And be it further enacted*, That before it shall be competent for said State to dispose of any of said lands, to be selected as aforesaid, the plan of said breakwater and harbor, and the route of said canal shall be established as aforesaid, and a plat or plats thereof shall be filed in the office of the War Department, and a duplicate thereof in the office of the Commissioner of the General Land Office.

SEC. 5. *And be it further enacted*, That if the said breakwater, harbor, and ship canal shall not be completed within two years from the passage of this act, the lands hereby granted shall revert to the United States.

SEC. 6. *And be it further enacted*, That the legislature of said State shall cause to be kept an accurate account of the sales and net proceeds

Roads to be public highways, and be completed in five years.

Time for reversion to the United States of certain lands in Michigan granted to railroads, extended.

The State of Michigan may locate, &c., a ship canal, &c., through "The Portage."

Limit to grant. Width and depth of canal.

Grant to Michigan of public lands to aid in building a ship canal. How and where selected.

Proviso.

Lands granted to be subject to disposal by the State.

Canal to be public highway, and no charge to United States vessels.

Route of canal to be established before lands are disposed of.

Unless canal, &c., completed in two years, land to revert.

Account of sales of lands, and net

proceeds and earnings and expenditures to be kept.

When State reimbursed, tolls to be such only as shall pay expenses of canal.

of the lands hereby granted, and of all expenditures in the construction, repairs, and operating of said canal, and of the earnings thereof, and shall return a statement of the same annually to the Secretary of the Interior; and whenever said State shall be fully reimbursed for all advances made for the construction, repairs, and operating of said canal, with legal interest on all advances, until the reimbursement of the same, or upon payment by the United States of any balance of such advances over such receipts from said lands and canal, with such interest, the said State shall be allowed to tax for the use of said canal only such tolls as shall be sufficient to pay all necessary expenses for the care, charge, and repair of the same. (a)

(a) See Nos. 550, 556, 566, 570, 579.

March 3, 1865.
Vol. 13, p. 520.

No. 544.—AN ACT to extend the time for the completion of certain railroads to which land grants have been made in the States of Michigan and Wisconsin.

Additional lands granted to Michigan, to aid in construction of certain railroads.

Be it enacted, &c., That there be, and hereby is, granted to the State of Michigan, for the purpose of aiding in the construction of a railroad from Marquette, on Lake Superior, to the Wisconsin State line, at or near the mouth of the Menomonee River, for the benefit and use of the Chicago and Northwestern Railway Company, a corporation of the States of Michigan, Illinois, Wisconsin, and from Marquette to Ontonagon, for the use and benefit of the Marquette and Ontonagon Railroad Company, a corporation of the State of Michigan, and for twenty miles westerly from Marquette of the Bay de Noquet and Marquette Railroad, for the benefit and use of the Bay de Noquet and Marquette Railroad Company, four additional alternate sections of land, per mile, to that already granted by act of Congress approved June third, A. D. eighteen hundred and fifty-six, and joint resolution supplementary thereto, to be selected upon the same conditions, restrictions, and limitations as are contained in the act of Congress entitled "An act making a grant of lands to the State of Michigan, in alternate sections, to aid in the construction of railroads in said State," approved June third, eighteen hundred and fifty-six: *Provided*, That the land to be so located by either of said roads shall be selected from the alternate sections, designated by odd numbers, within twenty miles of the line of said road.

Lands how selected.

Lands how disposed of.

SEC. 2. *And be it further enacted*, That the lands granted by said act of Congress and by this act shall be disposed of only in the following manner, that is to say: When the governor of the State of Michigan shall certify to the Secretary of the Interior that any ten consecutive miles, upon the route of either of said roads, is completed in a good and substantial manner, as a first-class railroad, then the Secretary of the Interior shall cause a certificate or certificates to issue to said State for one hundred sections of land, for the benefit and use of such company, and so from time to time for each completed section of ten miles of either of said roads, one hundred sections of land, until the whole shall be completed: *Provided*, That none of the additional lands granted by this act for that portion of the Marquette and Ontonagon Railroad now completed shall be certified to the State of Michigan, by the terms hereof, until the said railroad shall be completed from a point twenty miles west of Marquette to Ontonagon; and that none of the additional lands granted by this act for that portion of the railroad from Marquette to the Wisconsin State line at or near the mouth of the Menomonee River, now completed, shall be so certified until the said railroad shall be completed from Bay de Noquet to the said Wisconsin State line at or near the mouth of the Menomonee River aforesaid.

Certificate to issue as building of roads goes on.
Marquette and Ontonagon railroad.

Road from Marquette to Wisconsin State line.

Time for completing road from Marquette to Wisconsin State line extended.

SEC. 3. *And be it further enacted*, That the time limited for the completion of the road from Marquette to the Wisconsin State line, at or near the mouth of the Menomonee River, be, and the same is hereby, extended for the term of five years, from and after the third day of June, A. D. eighteen hundred and sixty-six.

Lands for road from Marquette to Bay de Noquet and to Ontonagon.

Where to be selected and certified.

Lands for road

SEC. 4. *And be it further enacted*, That no lands to be set apart for the road from Marquette to Bay de Noquet, and from Marquette to Ontonagon, shall be selected and certified east of that portion of the range line dividing ranges twenty-six and twenty-seven, that is, south of the township line between townships forty-seven and forty-eight, nor south of that portion of the township line dividing townships forty-seven and forty-eight, that lies east of the dividing range line above named; and that no lands to be set apart for the road from Marquette, on Lake Su-

perior, to the Wisconsin State line, at or near the mouth of the Menomonee River, shall be selected and certified west of that portion of the range line dividing ranges twenty-six and twenty-seven, that is, north of the township line dividing townships forty-two and forty-three, nor north of the township line dividing townships forty-seven and forty-eight; and that, for the purpose of making up any deficiency of lands to which the line of road from Marquette to Bay de Noquet may be entitled to make its grant equal to ten sections to the mile, the same shall be certified on the route from Marquette to Ontonagon, within twenty miles of the line of said road, and east of the range line dividing ranges thirty-one and thirty-two, and in accordance with the provisions hereinbefore contained. And that, whenever the governor of the State of Michigan shall certify to the Secretary of the Interior that twenty consecutive miles of the line of road from Marquette to Bay de Noquet has been completed in a good and substantial manner, as a first-class railroad, the Secretary of the Interior shall cause to be issued to said State of Michigan, for the use and benefit of the Bay de Noquet and Marquette Railroad Company, assignee of the State of Michigan, a certificate or certificates for two hundred sections of land, to be selected and located from the sections designated by odd numbers, on the line from Marquette to Ontonagon, and within twenty miles of said line.

from Marquette to Wisconsin State line.

Deficiency of lands for road from Marquette to Bay de Noquet.

Certificates of lands for road from Marquette to Bay de Noquet to be issued as road is built.

Selection and location.

SEC. 5. *And be it further enacted*, That the time for the completion of the railroad from Fond du Lac, on Lake Winnebago, to the Wisconsin State line, at or near the mouth of the Menomonee River, shall be, and hereby is, extended for the period of five years from and after the third day of June, one thousand eight hundred and sixty-six; and that any and all grants of land to said road shall continue and remain in full force and effect.

Time for completing road from Fond du Lac to Wisconsin State line extended.

SEC. 6. *And be it further enacted*, That each of said companies shall grade, in a good and substantial manner, ready for the ties, twenty miles of its road within two years, and twenty miles additional thereof in each year thereafter: *Provided*, That if said companies, or either of them, shall neglect or fail to do so, or to complete its road within the time herein specified, the land granted to such company shall revert to the United States. (a)

Each road to grade twenty miles in two years, and twenty miles each year thereafter. Lands to revert, if, &c.

(a) See Nos. 526, 531, 535, 538, 539, 540, 542, 545, 548, 552, 553, 567, 568, 569, 573, 575, 593, 594.

NO. 545.—AN ACT to amend an act entitled "An act to amend an act entitled 'An act making a grant of alternate sections of public lands to the State of Michigan, to aid in the construction of certain railroads in said State, and for other purposes.'"

March 3, 1865.
Vol. 13, p. 530.

Be it enacted, &c., That section one of an act entitled "An act to amend an act entitled 'An act making a grant of alternate sections of public lands to the State of Michigan, to aid in the construction of certain railroads in said State, and for other purposes,'" which said amendatory act was approved June seventh, eighteen hundred and sixty-four, be, and the same is hereby, amended so as to make the last proviso in said section to read as follows, to wit: *Provided, further*, That the time specified in the fourth section of the act hereby amended, for the completion of said road, shall be, and the same is hereby, extended eight years. (a)

Time for completing a certain railroad in Michigan extended.

(a) See Nos. 526, 531, 535, 538, 539, 540, 542, 544, 548, 552, 553, 567, 568, 569, 573, 575, 593, 594.

NO. 546.—JOINT RESOLUTION authorizing the Secretary of War to grant the use of a portion of military reserve on St. Clair River, in the State of Michigan, for railroad purposes.

Jan. 31, 1866.
Vol. 14, p. 348.

Be it resolved, &c., That the Secretary of War be, and he is hereby, authorized to grant to Guerdon O. Williams, of the city of Detroit, in the State of Michigan, and his associates, the use of so much of the military reserve on the St. Clair River, in the State of Michigan, known as the site of Fort Gratiot, as is necessary for extending a horse railroad from Port Huron City to the depot of the Port Huron and Detroit Railroad, at such rental and upon such terms and conditions as to him may seem proper, reserving to the United States, however, the right of removing the rails, ties, and other parts of said road whenever the Secretary of War shall direct, without any claim or right for damages on the part of the said Williams and associates, or their legal representatives. (a)

Use of portion of military reserve on St. Clair River granted for horse railroad.

Conditions.

(a) See Nos. 531, 533, 551, 555, 558, 559, 576, 578, 580, 594.

March 8, 1866.
Vol. 14, p. 578.

No. 547.—AN ACT for the relief of the heirs of James Bawdin.

Patent to heirs
of James Baw-
din for land at
Eagle Harbor.

Proviso.

Be it enacted, &c., That on payment to the United States of one dollar and twenty-five cents per acre therefor, the Commissioner of the General Land Office shall cause a patent to be issued to the heirs of James Bawdin for that tract of land lying and being at Eagle Harbor, on Lake Superior, situate upon the north part of section number six, in township number fifty-eight north, of range number thirty west, in the Sault Ste. Marie land district, State of Michigan, containing about six and fifty-four hundredths acres of land, and being all that part of the lands known as the light-house reservation at Eagle Harbor, which lies east of the dotted line marked "S. 86° 45' E. 12.76 chains," as shown on the plat of "Bawd[i]n's Survey" of said reservation in the office of said Commissioner of the General Land Office, except so much of said lands as may be required for the use of a road four rods wide, from the light-house across said six and fifty-four hundredths acres to the waters of said harbor, as the same is now laid out and used for that purpose: *Provided,* That this act shall only be construed to be a relinquishment of the title of the United States, and shall not interfere with the rights of third persons.

July 3, 1866.
Vol. 14, p. 78.

No. 548.—AN ACT to extend the time for the reversion to the United States of the lands granted by Congress to aid in the construction of a railroad from Amboy, by Hillsdale and Lansing, to some point on or near Traverse Bay, in the State of Michigan, and for the completion of said road.

Grants to be in
full force, pro-
vided, &c.

The Amboy,
&c., Railroad to
forfeit the grant,
unless, &c.

Twenty miles
of road-bed to be
completed by
Feb. 1, 1867.

Road to be fin-
ished for trains
to, &c., by Nov.
1, 1867.

Twenty other
miles to be com-
pleted each year.

If conditions
are not perform-
ed, the State of
Michigan may
confer the grant
upon some other
railroad corpora-
tion.

Such grant not
to affect any pre-
vious grant.

Limit to
amount of land to
be received.

Be it enacted, &c., That the time limited by the fourth section of an act entitled "An act making a grant of alternate sections of the public lands to the State of Michigan, to aid in the construction of certain railroads in said State, and for other purposes," approved June three, eighteen hundred and fifty-six, for the completion of the railroad from Amboy, by Hillsdale and Lansing, to some point on or near Traverse Bay, shall be, and hereby is, revived and extended for the period of seven years, from and after the third day of June, one thousand eight hundred and sixty-six; and that said grants shall continue and remain in full force and effect for and during that period, as if it had been so provided in said fourth section of said act of June three, eighteen hundred and fifty-six: *Provided,* That the Amboy, Lansing, and Traverse Bay Railroad Company, a corporation organized under the laws of the State of Michigan, shall forfeit all right to said grant, or any part thereof which it may now have, or which may hereafter be conferred upon it, by the legislature of the State of Michigan, if and whenever the said company shall fail, in whole or in part fully and completely to perform any of the following conditions, that is to say: First, to clear, grub, and grade twenty consecutive miles of the road-bed of said road between Owasso and Saginaw City, so that the same shall be in readiness for the ties and iron by the first day of February, eighteen hundred and sixty-seven; Second, to fully complete said road from Owasso to Saginaw City, so that the same shall be in readiness for the running of trains by the first day of November, eighteen hundred and sixty-seven; Third, to fully complete in like manner twenty miles of said road in each and every year after the said first day of November, eighteen hundred and sixty-seven, and to fully complete the entire road by the time limited by this act: *And provided further,* That in case of failure of said Amboy, Lansing, and Traverse Bay Rail Company to perform any of the above conditions by the respective times limited therefor, the legislature of the State of Michigan may at its first session after any such failure, confer the said grant upon some other railroad corporation, or corporations, upon such terms and conditions as the legislature may see fit, to carry out the purposes of the said act of June three, eighteen hundred and fifty-six, and when so conferred, such corporation or corporations shall be entitled to have and enjoy all of the said grant, which shall not then have been lawfully disposed of, to the same extent and in the same manner and for the same purposes, as if the same had been originally conferred upon such corporation or corporations. And any such railroad corporation or corporations, whether now organized or hereafter to be organized, upon which said grant may be so conferred in whole or in part, may receive the same without prejudice to any land grant, or other rights or franchises previously acquired. But in no case shall such corporation or corporations be entitled to receive more than ten sections of land to the mile, for that portion of said road which may

be consolidated in accordance with the provisions of this act: *And, provided, further,* That if the legislature shall, in any such case of failure, so confer said grant as above provided, then the said lands, or so much thereof as shall then remain not lawfully disposed of, shall be subject to the disposal and future control of said legislature, as provided in section three of said act of June three, eighteen hundred and fifty-six, until the expiration of the time limited by this act. But in case the said legislature shall in such case fail to so confer said grant, then the said lands shall revert to the United States.

Control of legislature over the lands.

SEC. 2. *And be it further enacted,* That the Flint and Pere Marquette Railroad Company may change the western terminus of its road to some point on Lake Michigan, at or south of Grand Traverse Bay; and any railroad corporations, having a right to the respective land grants specified in the said act of June three, eighteen hundred and fifty-six, located in the lower peninsula of the State of Michigan, may unite and contract with each other, or with any other railroad corporation or corporations, for the construction and operation of a single line of road for any portion of their routes, without prejudice to any land grants, or other rights or franchises previously acquired. And any and all such corporations are hereby authorized to change the location of their lines of road, so far as may be necessary, for the purpose of such consolidation, but not so as to change their respective termini otherwise than is authorized by this act. And whenever any change of terminus or location of line is made, as provided for in this act, the corporation or corporations making such change, shall file in the General Land Office new maps definitely showing such change and the new line of road adopted: *Provided,* That the road mentioned in the first section of this act shall run on the west side of Saginaw River, and that the principal depot shall be located in the northern portion of the plat of Saginaw City, so as best to accommodate the cities of Saginaw and East Saginaw.

If legislature does not confer the grant, lands to revert to the United States.

Flint, &c., railroad company may change its western terminus.

Railroads with land grants may construct a single line of road for any part of their routes.

Locations may be changed for purpose of consolidation.

Maps of change to be filed in land office.

Route, &c., of Amboy, &c., railroad.

Principal depot.

SEC. 3. *And be it further enacted,* That the lands granted by the said act of June three, eighteen hundred and fifty-six, to aid in the construction of the railroad described in the first section of this act, shall be disposed of only in the following manner, that is to say: when the governor of the State of Michigan shall certify to the Secretary of the Interior that ten or more consecutive miles of said road have been completed in a good and substantial manner, as a first-class railroad, stating definitely the commencement and termination of each completed portion of said road and the corporation or corporations so entitled to lands on account thereof, the Secretary of the Interior shall cause patents for lands for such completed portion of said road to be issued to said corporation or corporations: *Provided,* That none of said lands shall be acquired or so patented for any portion of said road so completed south of the intersection of said road with the Detroit and Milwaukee Railway, until the whole of said road north of said intersection shall have been completed and the lands therefor patented as aforesaid; *And provided further,* That the road mentioned in the first section of this act shall be and remain a public highway for the use of the Government of the United States, and shall transport, free from toll or other charges, all property, troops, and munitions of war belonging to the same. (a)

Lands granted in aid of the Amboy, &c., road, how to be disposed of.

When ten miles are completed, &c.

Proviso.

Road to be a public highway, and free to the United States.

SEC. 4. *And be it further enacted,* That all laws and parts of laws inconsistent with the provisions of this act are hereby repealed.

Repealing clause.

(a) See Nos. 526, 531, 535, 538, 539, 540, 542, 544, 545, 552, 553, 567, 568, 569, 573, 575, 593, 594.

No. 549.—AN ACT granting certain lands to the State of Michigan to aid in the construction of a ship canal to connect the waters of Lake Superior with the lake known as Lac La Belle, in said State.

July 3, 1866.
Vol. 14, p. 80.

Be it enacted, &c., That there be, and is hereby, granted to the State of Michigan, for the use and benefit of the "Lac La Belle Harbor Improvement Company," a company organized under and by virtue of the laws of the State of Michigan, for the purpose of aiding in the construction of a ship canal to connect the waters of Lake Superior with the lake known as Lac La Belle, in said State, one hundred thousand acres of the public lands of the United States in the upper peninsula of Michigan, to be selected from the odd-numbered sections of land nearest the location of the said canal, not otherwise reserved or appropriated, nor designated by the United States as "mineral lands" prior to the passage of this act, nor to which the rights of pre-emption or

Lands granted to Michigan to aid in the construction of ship canal between Lake Superior and Lac La Belle. Amount, and where to be selected.

Size of canal, homestead have attached: *Provided*, That the said canal shall be at least one hundred feet wide at the top, seventy-five feet wide at the bottom, and shall have, when completed, a depth of water through its entire length of at least twelve feet, running from sixteen feet of water in Lake Superior to fourteen feet of water in Lac La Belle: *And provided further*, That said canal shall be and remain a public highway for the use of the Government of the United States, free from toll or charge upon the vessels of said Government, or upon vessels employed by said Government in the transportation of any property or troops of the United States.

Canal to be a public highway, and be free to the United States. *SEC. 2. And be it further enacted*, That the lands hereby granted shall be subject to the disposal of the legislature of the State of Michigan for the purposes aforesaid and no other; that as soon as the governor of the said State shall file, or cause to be filed, with the Secretary of the Interior, a map or plan showing the location of the said canal, then it shall be the duty of the Secretary of the Interior to withdraw from market the lands applicable and subject to the provisions of this act; and whenever the governor of the State of Michigan shall certify to the Secretary of the Interior that the said ship canal has been completed, in a good, substantial, and workmanlike manner, in all respects in conformity with the provisions of this act, and to his satisfaction, then it shall be the duty of the Secretary of the Interior to issue patents to the said State of Michigan for the lands hereby granted.

Lands, how to be disposed of by Michigan; when to be withdrawn from market. *SEC. 3. And be it further enacted*, That if the said ship canal shall not be completed within two years from and after the passage of this act, the lands hereby granted shall revert to the United States.

Patents, when to issue.

If canal is not completed in two years, lands to revert.

July 3, 1866.
Vol. 14, p. 81.

No. 550.—AN ACT granting lands to the State of Michigan to aid in the construction of a harbor and a ship canal at Portage Lake, Keewenaw Point, Lake Superior, in said State.

Lands granted to Michigan for a harbor and ship canal at Portage Lake.
Amount.

How to be selected.

To whose use to inure.

Time for completing work extended.

Mineral lands not granted.

Be it enacted, &c., That there be, and hereby is, granted to the State of Michigan, to aid in the building of a harbor and ship canal at Portage Lake, Keewenaw Point, Lake Superior, in addition to a former grant for that purpose, approved March the third, eighteen hundred and sixty-five, two hundred thousand acres of land in the upper peninsula of the State of Michigan, and from land to which the right of homestead or pre-emption has not attached: *Provided*, That one hundred and fifty thousand acres of said lands shall be selected from alternate odd-numbered sections, and fifty thousand acres from even-numbered sections of the lands of the United States. Said grant of lands shall inure to the use and benefit of the Portage Lake and Lake Superior Ship Canal Company, in accordance with an act of the legislature of the State of Michigan, conferring the land granted to the said State, by the act herein referred to, on said company: *And provided further*, That the time allowed for the completion of said work and the right of reversion to the United States, under the said act of Congress, approved March the third, eighteen hundred and sixty-five, be extended three additional years: *And provided further*, That no lands designated by the United States as "mineral" before the passage of this act shall be included within this grant. (a)

(a) See Nos. 543, 556, 566, 570, 579.

Feb. 25, 1867.
Vol. 14, p. 410.

No. 551.—AN ACT to amend an act granting the right of way over the military reserve at Fort Gratiot, Michigan.

Buildings erected by any railroad company upon the military reservation at Fort Gratiot, to be of wood or fire-proof.

Be it enacted &c., That the act entitled "An act granting the right of way over, and depot grounds upon, the military reserve of Fort Gratiot, in the State of Michigan," passed February the eighth, eighteen hundred and fifty-nine, be, and the same is hereby, amended by inserting in the last proviso, after the word "wood," the words "or fire-proof," so that the same shall read, "that all buildings to be erected upon said reservation shall be of wood or fire-proof." (a)

(a) See Nos. 531, 533, 546, 555, 558, 559, 576, 578, 580, 594.

No. 552.—AN ACT to amend an act entitled "An act to extend the time for the reversion to the United States of the lands granted by Congress to aid in the construction of a railroad from Amboy, by Hillsdale and Lansing, to some point on or near Traverse Bay, in the State of Michigan, and for the completion of said road," approved July three, eighteen hundred and sixty-six. March 2, 1867.
Vol. 14, p. 425.

Be it enacted, &c., That the first section of the act entitled "An act to extend the time for the reversion to the United States of the lands granted by Congress to aid in the construction of a railroad from Amboy, by Hillsdale and Lansing, to some point on or near Traverse Bay, in the State of Michigan, and for the completion of said road," approved July three, eighteen hundred and sixty-six, be and the same is hereby amended by striking out the word "February" where it occurs in said section, and inserting the word "July" in lieu thereof. (a) Time for completion of first twenty miles of road-bed of Amboy, &c., railroad extended to July 1, 1867.

(a) See Nos. 526, 531, 535, 538, 539, 540, 542, 544, 545, 548, 553, 567, 568, 569, 573, 575, 593, 594.

No. 553.—JOINT RESOLUTION concerning certain lands granted to railroad companies in the States of Michigan and Wisconsin. May 20, 1868.
Vol. 15, p. 252.

Be it resolved, &c., That a failure to grade twenty miles of the roads within two years from the passage of the act entitled "An act to extend the time for the completion of certain railroads to which land grants have been made in the States of Michigan and Wisconsin," approved on the third day of March, anno Domini eighteen hundred and sixty-five, and twenty miles additional thereof in each year thereafter, as required by said act, shall not cause any forfeiture or reversion to the United States of any lands granted to the said States, or either of them, to aid in the construction of the railroads described: *Provided*, That said companies, or either of them, shall fully complete their said railroads in the manner required by law on or before the thirty-first December, anno Domini eighteen hundred and seventy-two, at which time a failure shall forfeit the lands to the United States: *Provided*, [That] the provisions of this section shall apply only to the chartered and projected line of railway from the city of Fond du Lac in the State of Wisconsin, northerly to Esconaba, in the State of Michigan, and the chartered and projected line of railroad from Marquette, in the State of Michigan, westerly to Ontonagon, in the same State: *And provided further*, That if the said Marquette and Ontonagon Railroad Company, in the State of Michigan, shall not have completed according to law ten additional miles of their railroad, on or before the first day of January A. D. eighteen hundred and sixty-nine, and shall not in like manner complete ten miles of said railroad in each and every year thereafter, then it shall be lawful for the legislature of the said State of Michigan to declare the grant of lands to said company to be forfeited and to confer the said grant of lands upon some other company in the same manner as if the said grant was now for the first time made to the said State of Michigan. Lands granted to Michigan and Wisconsin for certain railroads not to be forfeited, &c.

Proviso.

Proviso.

Proviso.

SEC. 2. *And be it further resolved*, That the Commissioner of the General Land Office be, and he hereby is, authorized and directed to cause a patent in due form of law, to be issued to the Chicago and Northwestern Railway Company, in pursuance of a resolution passed by Congress granting the same to the State of Wisconsin, approved April twenty-five, anno Domini eighteen hundred and sixty-two, and an act of the legislature of Wisconsin, approved June sixteen, anno Domini eighteen hundred and sixty-two, granting the same to said company for eighty acres of land of the Fort Howard military reserve, as the same was surveyed and approved by said Commissioner on the eleventh June, anno Domini eighteen hundred and sixty-four. (a) Patent to Chicago and Northwestern Railroad Company for eighty acres of land of Fort Howard military reserve.

(a) See Nos. 526, 531, 535, 538, 539, 540, 542, 544, 545, 548, 552, 567, 568, 569, 573, 575, 593, 494.

No. 554.—AN ACT to extend the time of completing the military road authorized by an act entitled "An act granting lands to the States of Michigan and Wisconsin to aid in the construction of a military road from Fort Wilkins, Copper Harbor, Keweenaw County, in the State of Michigan, to Fort Howard, Green Bay, in the State of Wisconsin." June 8, 1868.
Vol. 15, p. 67.

Be it enacted, &c., That the time for completing the military road, and for the sales of lands, authorized by an act entitled "An act granting lands to the States of Michigan and Wisconsin to aid in the construction of a military road from Fort Wilkins, Copper Harbor, Keweenaw Time of completing military road, &c., extended.

County, in the State of Michigan, to Fort Howard, Green Bay, in the State of Wisconsin," approved March third, eighteen hundred and sixty-three, be and the same is hereby, extended to March first, eighteen hundred and seventy. (a)

(a) See Nos. 537, 541, 560, 571.

July 20, 1868.
Vol. 15, p. 123.

No. 555.—AN ACT providing for the sale of a portion of the Fort Gratiot military reservation in St. Clair County, in the State of Michigan.

Fort Gratiot military reservation may be sold.

Be it enacted, &c., That the Secretary of War be, and he is hereby, authorized to sell, at such times as he may deem most advantageous to the interests of the Government, and in such manner as hereinafter provided, all that portion of the military reservation known as Fort Gratiot, in St. Clair County, in the State of Michigan, which lies south of a line running due west from the south end of the Grand Trunk Railroad wharf, on the St. Clair River, until it intersects the road known as the Lexington road, and all that portion which lies west of said Lexington road.

Portion of reservation to be divided into blocks, &c., and sold by lots at public auction.

SEC. 2. *And be it further enacted,* That all that portion of the above-described lands which lies east of a line running due south from the point of intersection with the Lexington road, mentioned in the foregoing section of this act, shall be divided into blocks and lots of convenient size for building purposes, with public streets conforming as near as may be, without detriment to the interests of the Government or the State, to the public streets of the city of Port Huron, adjoining such ground, and sold by lots at public auction, at the city of Port Huron, to the highest bidder, public notice of such sale having first been given for thirty days by advertisement in all the papers published in the city of Port Huron, and in at least two papers published in the city of Detroit, Michigan. A plat of this division, made in accordance with the laws of the State of Michigan, shall be filed with the register of deeds of the county of St. Clair, State of Michigan. The remaining portion of said military reservation, for the sale of which provision is made in the first section of this act, shall be sold at public auction at the city of Port Huron, after due notice, as prescribed in the foregoing paragraph, at such times and in such parcels as may be deemed most advantageous to the interests of the Government, by the Secretary of War. (a)

Notice.

Plat of division.

Rest of reservation to be sold when and how.

Proceeds of sales.

SEC. 3. *And be it further enacted,* That the proceeds arising from the sale herein provided for, shall be paid into the Treasury of the United States in the same manner as the proceeds from the sale of other public lands.

(a) See Nos. 531, 533, 546, 551, 558, 559, 576, 578, 580, 594.

April 10, 1869.
Vol. 16, p. 55.

No. 556.—A RESOLUTION extending the time for the completion of the Portage Lake and Lake Superior ship canal.

Time for completing Portage Lake and Lake Superior ship canal extended.

Resolved, &c., That the time for the completion of the Portage Lake and Lake Superior ship canal be, and the same is hereby, extended to the third day of March, eighteen hundred and seventy-one. (a)

(a) See Nos. 543, 550, 566, 570, 579.

March 3, 1869.
Vol. 15, p. 462.

No. 557.—AN ACT confirming certain purchases of lands in the Ionia district, Michigan, made by Charles H. Rodd and Andrew J. Campeau.

Certain locations and purchases of land by Charles H. Rodd and Andrew J. Campeau confirmed.

Be it enacted, &c., That the locations and purchases of land made by Charles H. Rodd and Andrew J. Campeau, under the provisions of the treaty of August two, eighteen hundred and fifty-five, in the Ionia land district, Michigan, be, and the same are hereby confirmed, so far as such purchases or locations were made prior to the instructions of the Commissioner of the General Land Office to the register and receiver not to allow any further Indian locations or purchases in the Indian reservation: *Provided,* That such purchases were made regularly, according to the regulations and instructions of the General Land Office in force at the time: *And provided,* That this act shall not prejudice any adverse claims to such lands.

Provisos.

No. 558.—AN ACT to amend an act entitled "An act providing for the sale of a portion of the Fort Gratiot military reservation in St. Clair County, in the State of Michigan," approved July twentieth, eighteen hundred and sixty-eight.

March 18, 1870.
Vol. 16, p. 76.

Be it enacted, &c., That an act entitled "An act providing for the sale of a portion of the Fort Gratiot military reservation in St. Clair County, in the State of Michigan," approved July twentieth, eighteen hundred and sixty-eight, be, and the same is hereby, amended by adding to the end of the second section thereof the following, to wit: "*Provided*, That there shall be, and is hereby, granted to the city of Port Huron, in perpetuity, for public grounds, to be designated and known as 'Pine Grove Park,' all that portion of said military reserve known and described as follows, to wit: commencing at a point on the St. Clair River bank, being north sixty degrees and fifty-five minutes east, one chain and seventy-five links from the southeast corner of Fort Gratiot military cemetery; thence south sixty degrees and fifty-five minutes west, eleven chains and fifteen links, at right angles with and to intersect the east line of Harrington avenue, so called; thence south twenty-nine degrees and five minutes east, along the east line of said avenue, twenty chains; thence north sixty degrees and fifty-five minutes east, at right angles with said avenue, to the United States boundary line in the St. Clair River; thence northerly along said boundary line to a point at which the northerly line of the above described 'Pine Grove Park' extended in a right line easterly would intersect the same; thence westerly along said extended northerly line to the place of beginning. Containing twenty and ninety-hundredth acres of land, together with the river front adjoining thereto." (a)

Fort Gratiot
military reservation.

Grant to Port
Huron for a public
park.

(a) See Nos. 531, 533, 546, 551, 555, 559, 576, 578, 580, 594.

No. 559.—AN ACT to provide for the survey of the Fort Gratiot military reservation, in the State of Michigan.

May 4, 1870.
Vol. 16, p. 97.

Be it enacted, &c., That there be, and is hereby, appropriated from any moneys in the Treasury not otherwise appropriated, the sum of three thousand dollars, to complete the survey and subdivision of the Fort Gratiot military reservation in pursuance of law; and that said money be returned to the Treasury from the proceeds of the sale of any part of said military reservation. (a)

Appropriation
for survey, &c.,
of Fort Gratiot
military reservation.

(a) See Nos. 531, 533, 546, 551, 555, 558, 576, 578, 580, 594.

No. 560.—AN ACT to extend the time for the completion of the military road from Fort Wilkins, at Copper Harbor, in the State of Michigan, to Fort Howard, at Green Bay, in the State of Wisconsin.

May 6, 1870.
Vol. 16, p. 121.

Be it enacted, &c., That the time for the construction and completion of the military road from Fort Wilkins, at Copper Harbor, in the State of Michigan, to Fort Howard, at Green Bay, in the State of Wisconsin, be, and the same is hereby, extended until the first day of January, one thousand eight hundred and seventy-two.

Time for completion of military road from Fort Wilkins, Michigan, extended.

SEC. 2. *And be it further enacted*, That all the grants, rights, and privileges contained in the original grant be continued in full force and virtue for said time. (a)

Original grants, &c., preserved.

(a) See Nos. 537, 541, 554, 571.

No. 561.—AN ACT for the relief of Thomas Henderson.

July 1, 1870.
Vol. 16, p. 647.

Be it enacted, &c., That Thomas Henderson, of Wayne County, Michigan, his heirs or assigns, be entitled to enter at the proper land office, where the same lies, the back concession of front concession number two hundred and fifty-nine, in the township of Ecorse, in said Wayne County, containing eighty acres, more or less, at the sum of two dollars and fifty cents per acre, embracing the improvements made upon said back concession by said Henderson under a claim of pre-emption, the same to be surveyed and laid off by the surveyor-general at the expense of said claimant, and to be patented to him, his heirs or assigns, on full payment being made: *Provided*, That this act shall not affect the valid claim of any other person to said land.

Thomas Henderson may enter certain lands in Wayne County, Michigan.

Proviso.

July 15, 1870.
Vol. 16, p. 365.

No. 562.—AN ACT donating for school purposes a certain lot of land with the building thereon erected, known as the Old Indian Dormitory, in the village of Mackinac, Michigan.

Right of the United States to a lot of land in Mackinac given to the trustees of public schools in that place.

To revert if, &c.

Be it enacted, &c., That the Secretary of the Treasury be, and he is hereby, authorized and required to grant and convey to the trustees of the public schools for the village of Mackinac, Michigan, all the right, title, and interest of the United States in and to a certain inclosed lot of land with the building thereon erected, known as the Old Indian Dormitory, situate in the said village of Mackinac, to be used for school purposes only. And whenever the same shall be converted to other uses, it shall revert to the United States. (a)

(a) See Nos. 458, 476, 493, 586.

July 15, 1870.
Vol. 16, p. 672.

No. 563.—JOINT RESOLUTION directing the Commissioner of the General Land Office to issue a patent to Stephen Marston, of Hartford, State of Connecticut, conveying to the said Marston the lands described in said resolution.

Preamble.

Whereas the said Stephen Marston is in possession of the following-described lands, to wit: A certain piece or parcel of land in fractional section five, in township thirteen north, of range five east, in Bay County, State of Michigan, being part of the middle ground in Saginaw River, in the said State of Michigan, described as follows, to wit: Commencing at a point where the north line of said section five intersects the east bank of said middle ground, said point being located forty-one chains and fourteen links east of the northwest corner of section five; running thence west on the township line seven chains and fifty-seven links; thence south four degrees and fifty minutes east (true meridian), eighteen chains and twenty-nine links; thence east, parallel with the township line, seven chains and fifty-seven links, to the river bank; thence northerly along the meanderings of said river to the place of beginning. Also, a portion of section thirty-two, in township fourteen north, of range five east, lying immediately north of and adjoining the above-described land, described as follows: Commencing at the point where the south line of said section thirty-two intersects the east bank of said middle ground, said point being located forty-one chains and fourteen links east of the southwest corner of said section thirty-two; running thence west on the township line seven chains and fifty-seven links; thence north two degrees and fifty-nine minutes west (true meridian), three chains and fifty-three links; thence east, parallel with township line, seven chains and fifty-seven links, to the river bank; thence southerly with the meandering of said river to the place of beginning, containing in the two parcels of land above described sixteen and fifty-one hundredths acres, be the same more or less, and has improved said lands by erecting, or causing to be erected, thereon a saw-mill and other buildings of great value, namely, of the value of twenty thousand dollars; and whereas said lands are in the Saginaw River, in the said State of Michigan, and known as middle ground; and whereas said Marston and his grantors owned the land on the shore or bank of said river opposite the said above-described lands, and supposing and believing that he was the legal owner of said lands, he proceeded to make, or cause to be made, the said improvements on said lands: Therefore,

Patent for certain lands to issue to Stephen Marston, upon payment, &c.
Provided.

Be it resolved, &c., That the Commissioner of the General Land Office be, and he is hereby, authorized and directed to issue to Stephen Marston, of Hartford, Connecticut, a patent conveying to said Marston the above-described lands, upon the payment into the said land office, by said Marston, of the sum of one hundred dollars: *Provided,* That nothing herein shall be construed to give said Marston title to said lands, if any, west of a line drawn northerly and southerly through said island, being the middle of the river.

Feb. 18, 1871.
Vol. 16, p. 682.

No. 564.—AN ACT confirming the title of Nathan Boyer to certain lands in the State of Michigan.

Preamble.

Whereas Nathan Boyer, under date of June twentieth, eighteen hundred and sixty-five, entered at the local land office at East Saginaw, Michigan, per cash entry number nine thousand three hundred and thirty-five, the south half of the southeast quarter of section twenty, township thirteen north, of range two west, at the graduation price of twenty-five cents per acre, having settled thereon, filed his declaratory statement under the preëmption laws, and continued his residence upon

and improvement of said tract until the date of entry, except during his absence in the military service of the United States; and whereas the graduation act was repealed June second, eighteen hundred and sixty-two, before the year allowed Mr. Boyer in which to make proof and payment for said land had expired: Therefore,

Be it enacted, &c., That the Commissioner of the General Land Office be directed to issue a patent to said Nathan Boyer, as per said entry for the land described, the same as if the title had been completed under the graduation act of August fourth, eighteen hundred and fifty-four. Patent for land to issue to Nathan Boyer.

No. 565.—AN ACT ceding certain land in the village of Mackinaw, Michigan, to E. A. Franks. March 2, 1871.
Vol. 16, p. 470.

Be it enacted, &c., That the Secretary of the Treasury be, and he is hereby, authorized and required to grant and convey to E. A. Franks, of the village of Mackinaw, in the State of Michigan, all the right, title, and interest of the United States in and to a certain tract or lot of land in said village upon which stands the Mission House, so called, and surrounding the same and joining private property on the west and south, containing sixteen acres more or less, upon payment into the Treasury of the United States [of] the value thereof, as shall be ascertained by an appraisement under a commission for that purpose, to be appointed by the Secretary of War. Land in Mackinaw, Michigan, granted to E. A. Franks.

No. 566.—JOINT RESOLUTION extending the time for the completion of the Portage Lake and Lake Superior ship canal. March 2, 1871.
Vol. 16, p. 599.

Resolved, &c., That the time for the completion of the Portage Lake and Lake Superior ship canal be, and the same is hereby, extended to the third day of March, A. D. eighteen hundred and seventy-two. (a) Time for completion of Portage Lake and Lake Superior ship canal extended.

(a) See Nos. 543, 550, 556, 570, 579.

No. 567.—AN ACT to extend the time for the reversion to the United States of the lands granted by Congress to the State of Michigan to aid in the construction of a railroad from Pere Marquette to Flint, in said State, and for other purposes. March 3, 1871.
Vol. 16, p. 582.

Be it enacted, &c., That the time specified in the fourth section of the act of Congress, approved June third, eighteen hundred and fifty-six, entitled "An act making a grant of alternate sections of the public lands to the State of Michigan to aid in the construction of certain railroads in said State, and for other purposes," for the reversion to the United States of the lands granted by said act to aid in the construction of a railroad from Pere Marquette to Flint, and for the completion of said road, be, and the same is hereby, further extended for the period of five years from and after the passage of this act. Time for reversion of lands granted to Michigan for railroad from Pere Marquette to Flint extended five years.

SEC. 2. That the State of Michigan may authorize the sale of sixty sections of the land granted to aid the construction of said railroad from Pere Marquette to Flint, whenever and as often as the governor of said State shall certify that ten additional miles of said railroad is completed and in running order as a first-class railroad: *Provided*, That said lands authorized to be sold as aforesaid shall include only lands situated opposite to and coterminous with the completed sections: *And provided*, That in case said railroad shall not be fully completed from Flint to Lake Michigan within the time as extended by this act, all the lands included in said grant to which the right to sell shall not then have attached shall revert to the United States. (a) The State may authorize the sale of certain of the lands, when, &c.

Proviso.

(a) See Nos. 526, 531, 535, 538, 539, 540, 542, 544, 545, 548, 552, 553, 568, 569, 573, 575, 593, 594.

No. 368.—AN ACT to enable the Jackson, Lansing, and Saginaw Railroad Company to change the northern terminus of its road from Traverse Bay to the Straits of Mackinaw, and for other purposes. March 3, 1871.
Vol. 16, p. 586.

Be it enacted, &c., That the Jackson, Lansing, and Saginaw Railroad Company, a corporation organized and existing under the laws of the State of Michigan, and to which the said State granted a portion of the land grant made to aid in the construction of a railroad from Ann Arbor, change its north- Jackson, Lansing, and Saginaw Railroad Company may change its north-

ern terminus, by Hillsdale and Lansing, to some point on or near Traverse Bay, by an act entitled "An act making a grant of alternate sections of the public and alter its location.

Proviso.

Only lands within the original location shall pertain to the railroad.

Such lands shall be applied to aid in the construction of the railroad.

Proviso.

lands to the State of Michigan to aid in the construction of certain railroads in said State, and for other purposes," approved June three, eighteen hundred and fifty-six, be, and hereby is, empowered and authorized to change the northern terminus of its railroad from Traverse Bay to some point on or near the Straits of Mackinaw, in said State of Michigan, and to change the location of the incomplete portion of its railroad, so as to obtain the most direct and suitable practicable route from Saginaw River to the Straits of Mackinaw: *Provided*, That such change shall lessen the length of said line by rendering it more direct: *And provided further*, That no change in the location of said line of railroad shall have the effect or be construed to work any change in the land grant made to aid in the construction of said road: *And provided also*, That such new location shall be made within the limits of such land grant until the northern limit of said grant is passed.

SEC. 2. That only the lands embraced within the limits of the said grant as the same was originally located under said act of Congress of June three, eighteen hundred and fifty-six, shall pertain to said railroad, or be applicable to aid in the building of the same, whether it be constructed on such new or improved location, or on the said original location. But all the lands within the limits of said grant now remaining unsold, and of the character described and embraced in said act of Congress, whether heretofore listed and certified by the Commissioner of the Land Office as inuring under said grant or not, shall belong to and be applicable to aid in the construction of said railroad, whether built on said improved or said original location, and the said company, on completing its said railroad, or any portion thereof, within the time and in the manner required by law, namely, on or before June third, eighteen hundred and seventy-three, the time limited in the act of Congress of July third, eighteen hundred and sixty-six, on such new or improved line, shall be entitled to the same amount of said lands for each mile of said railroad so constructed as if the same had been built on the line originally located under said act: *Provided*, That said company shall not be entitled to any of said lands for that part of its said new or improved line situate to the northward of the limits of its said land grant, and between that point and the Straits of Mackinaw; but the right of way for said railroad over the public lands on its new or improved location is hereby granted. (a)

(a) See Nos. 526, 531, 535, 538, 539, 540, 542, 544, 545, 548, 552, 553, 567, 569, 573, 575, 593, 594.

April 20, 1871.
Vol. 17, p. 643.

No. 569.—AN ACT to enable the Houghton and Ontonagon Railroad Company to make a resurvey of its road.

Houghton and Ontonagon R. R. Co. may resurvey and locate anew a part of their road.

Lands.

Map of new line.

No lands for increased line.

Homestead and pre-emption rights.

Be it enacted, &c., That the Houghton and Ontonagon Railroad Company, a corporation organized and existing under the laws of the State of Michigan, and upon which the said State, in pursuance of a joint resolution of Congress approved May twentieth, eighteen hundred and sixty-eight, has conferred the grants of land made to aid in the construction of a road from Marquette to Ontonagon, be authorized to make a resurvey and new location of that part of the line between Marquette and Ontonagon to be constructed by said company: *Provided*, That the said company shall be entitled to select and receive only its complement of lands for each mile of road constructed and completed, in the manner required by law, from the alternate odd-numbered sections of lands belonging to the United States and within the limits heretofore assigned to said line of road: *Provided further*, That on the completion of said survey a map of the new line shall be filed with the Commissioner of the General Land Office: *And provided further*, That said company shall not be entitled to receive any lands for any increased length of the new line hereby authorized, and shall only be entitled to receive its lands coterminous with its line of road as completed: *And provided*, That nothing contained in this act shall be held to interfere with homestead or pre-emption rights under existing laws. (a)

(a) See Nos. 526, 531, 535, 538, 539, 540, 542, 544, 545, 548, 552, 553, 567, 569, 573, 575, 593, 594.

No. 570.—AN ACT extending the time for the completion of the Portage Lake and Lake Superior ship canal.

March 27, 1872.
Vol. 17, p. 44.

Be it enacted, &c., That time for the completion of the Portage Lake and Lake Superior ship canal be, and the same is hereby, extended to the third day of March, anno Domini eighteen hundred and seventy-three. (a)

Time for completion of Portage Lake and Lake Superior ship canal extended.

(a) See Nos. 543, 550, 556, 566, 579.

No. 571.—AN ACT to extend the time for the completion of the military road from Fort Wilkins, at Copper Harbor, in the State of Michigan, to Fort Howard, at Green Bay, in the State of Wisconsin.

April 24, 1872.
Vol. 17, p. 56.

Be it enacted, &c., That the time for the construction and completion of the military road from Fort Wilkins, at Copper Harbor, in the State of Michigan, to Fort Howard, at Green Bay, in the State of Wisconsin, be, and the same is hereby, extended until the first day of January, eighteen hundred and seventy-four.

Time for completing the military road from Fort Wilkins to Fort Howard extended, with original rights, &c.

SEC. 2. That all the grants, rights, and privileges contained in the original grant be continued in full force and virtue for said time. (a)

(a) See Nos. 537, 541, 554, 560.

No. 572.—AN ACT to extend the time of payment for their lands by persons holding pre-emptions on the public lands in the States of Minnesota, Wisconsin, Michigan, and Territory of Dakota.

May 9, 1872.
Vol. 17, p. 88.

[See MINNESOTA, No. 1898.]

No. 573.—AN ACT to authorize the Chicago and Northwestern Railway Company to change their projected line of railway in the State of Michigan.

May 23, 1872.
Vol. 17, p. 160.

Be it enacted, &c., That the Chicago and Northwestern Railway Company are hereby authorized to change and relocate that part of their projected line of railway "from the city of Fond du Lac, in the State of Wisconsin, northerly to Esconaba, in the State of Michigan," which lies in said State of Michigan, so as to run said line from "at or near the mouth of the Menomonee River to Esconaba," on such line within the limits of the land grant reserved for the use of said company, now on file in the office of the Commissioner of the General Land Office, as they may deem most advantageous, and shall cause a plat of their line, as relocated, to be filed in said office within six months of the passage of this act: *Provided,* That the grant of lands heretofore made to aid in the construction of said railroad shall not be increased or changed in any respect whatever by the change of line hereby authorized. (a)

Chicago and Northwestern Railway company may change part of its line of road.

Former grants of lands not affected.

(a) See Nos. 526, 531, 535, 538, 539, 540, 542, 544, 545, 548, 552, 553, 567, 568, 569, 575, 593, 594.

No. 574.—AN ACT relative to homestead settlers burned out in the States of Minnesota, Wisconsin, and Michigan.

June 8, 1872.
Vol. 17, p. 337.

[See MINNESOTA, No. 1900.]

No. 575.—AN ACT for the restoration to market of certain lands in Michigan.

June 10, 1872.
Vol. 17, p. 381.

Be it enacted, &c., That all the lands remaining undisposed of in the reservation made for the Ottawa and Chippewa Indians of Michigan by the treaty of July thirty-first, eighteen hundred and fifty-five, shall be restored to market by proper notice, under direction of the Secretary of the Interior, as hereinafter provided. (a)

Unsold lands of the Ottawa, &c., reservation in Michigan to be restored to market.

SEC. 2. That said unoccupied lands shall be open to homestead entry for six months from the passage of this act by Indians only of said tribes who shall have not made selections or purchases under said treaty, including such members of said tribes as have become of age since the expiration of the ten years named in the treaty; and any Indian so entitled shall be permitted to make his homestead entry at the local office within the six months aforesaid of not exceeding one hundred and sixty acres, or one quarter-section of minimum, or eighty acres of double minimum land, on making proper proof of his right under such rules as may be prescribed by the Secretary of the Interior: *Pro-*

To be open to homestead entry by Indians only for six months.

Collector of customs to select for minor children, &c.

Bona-fide settlers on such lands prior to Jan 1, 1872, entitled to entry, &c.

Selections heretofore made by Indians, &c., to be patented to them.

Sales regularly made, &c., confirmed, &c.

After six months, remaining lands to be restored to market.

Lands not to be taken under land grants, &c.

vided, That the collector of customs for the district in which said land is situated is hereby authorized, and it is made his duty to select for such minor children as would be entitled under this law as heirs of any Indian. (b)

SEC. 3. That all actual, permanent, bona-fide settlers on any of said lands who settled prior to the first day of January, eighteen hundred and seventy-two, shall be entitled to enter either under the homestead laws or to pay for at the minimum or double-minimum price, as the case may be, not exceeding one hundred and sixty acres of the former or eighty acres of the latter class of land on making proof of his settlement and continued residence before the expiration of six months from the passage of this act.

SEC. 4. That all selections by Indians heretofore made and regularly reported and recognized as valid and proper by the Secretary of the Interior and Commissioner of Indian Affairs, shall be patented to the respective Indians making the same; and all sales heretofore made and reported where the same are regular and not in conflict with such selections, or with any other valid adverse right, except of the United States, are hereby confirmed, and patents shall issue thereon as in other cases according to law.

SEC. 5. That immediately after the expiration of said six months, the secretary shall proceed to restore the remaining lands to market by public notice of not less than thirty days, and after such restoration they shall be subject to the general laws governing the disposition of the public lands of the United States: *Provided*, That none of the lands herein mentioned shall be subject to or taken under any grant of lands for public works or improvements, or by any railroad company.

(a) See Nos. 584, 588.

(b) See Nos. 85, 197, 455, 467, 490, 503, 515, 526, 535, 574, 583, 584.

Jan. 24, 1873.
Vol. 17, p. 420.

No. 576.—AN ACT to provide for the sale of a part of the light-house reservation at Fort Gratiot, Port Huron, in the State of Michigan.

Portion of the Fort Gratiot light-house reservation to be sold.

Boundaries.

Record.

Money received to be paid into Treasury.

Be it enacted, &c., That the Secretary of the Treasury be, and he is hereby, authorized to cause to be platted and sold at public auction so much of the Fort Gratiot light-house reservation, at Port Huron, in the State of Michigan, as is comprised within the following metes and bounds, to wit: Beginning at a point which is one thousand ninety-two and one-half feet north eighty degrees and forty-four minutes east (true) from monument number one of the survey of Fort Gratiot military reservation made by W. H. Hearding in April, eighteen hundred and fifty-nine, and the position of which is indicated upon the map of the same reservation made under the direction of Major O. M. Poe, corps of engineers, United States Army, in eighteen hundred and seventy; thence north nine degrees and sixteen minutes west (true) three thousand one hundred and thirty-five feet; thence north eighty degrees and forty-four minutes east (true) five hundred and thirty-two feet; thence south nine degrees and sixteen minutes east (true) one thousand one hundred and eighty-four feet; thence north eighty degrees and forty-four minutes east (true) to the shore of lake, to the place of beginning, save and except that right of way is expressly reserved over a strip of land sixty-six feet wide and extending in a direct line from the light-house tower, either in its present or any future position, to the present western boundary of the reservation; and that the subdivision of the same be made to correspond, as far as may be, to the plat of the village of Fort Gratiot; and that a record thereof be filed in the office of register of deeds for the county of Saint Clair; and that the money received for such lands be paid into the Treasury, except so much as may be necessary to repay the expenses of survey and sale. (a)

(a) See Nos. 531, 533, 546, 551, 555, 558, 559, 578, 580, 594.

Feb. 18, 1873.
Vol. 17, p. 465.

No. 577.—AN ACT in relation to mineral lands.

Be it enacted, &c., That within the States hereinafter named deposits of iron and coal be, and they are hereby, excluded from the operations of an act entitled "An act to promote the development of the mining resources of the United States," approved May tenth

eighteen hundred and seventy-two, and said act shall not apply to the Michigan, Min-
 mineral lands situate and being within the States of Michigan, Wis- nesota, and Wis-
 consin, and Minnesota, and that said lands are hereby declared free andconsin, not in-
 open to exploration and purchase, according to the legal subdivisons cluded in act of
 thereof, as before the passage of said act; and that any bona-fide entries Bona-fide en-
 of such lands within said States, since the passage thereof, may be pat-tries may be pat-
 ented without reference to the provisions of said act. (a) ented.

(a) See Nos. 458, 515, 518.

No. 578.—AN ACT to authorize the Secretary of War to survey, plat, and sell the present cemetery grounds upon the Fort Gratiot military reservation in Michigan, and for other purposes.

March 3, 1873.
 Vol. 17, p. 620.

Be it enacted, &c., That so much of the Fort Gratiot military reserva- Portion of Fort
 tion, in the State of Michigan, as has heretofore been granted to the Gratiot military
 city of Port Huron for a cemetery, shall be, upon the request of said reservation gran-
 city, duly certified under the seal thereof, surveyed and platted into ted to Port Huron
 streets, blocks, and lots, under the direction of the Secretary of War, in for a cemetery, to
 conformity to the plat of that portion of said military reservation sur- be, upon request,
 rounding said cemetery, lately made by Major O. M. Poe, United States surveyed and
 engineer, and now on file in the office of the register of deeds of Saint platted into
 Clair County, and shall be sold under the direction of the Secretary of streets, &c., and
 War at public vendue, and the proceeds of such sale, after paying the sold at public
 expenses of such survey and sale, shall be paid over to the city of Port auction. Proceeds of
 Huron, to be used by said city for the purchase or improvement, or sale.
 both, of such lands as the city may acquire for another cemetery, and Lots in new
 for removing the remains of those buried in the present to the new cemetery.
 cemetery, and for such other purposes as may be necessary in the change
 of burial places: *Provided*, That suitable and proper lots in the new
 cemetery shall be granted to those having lots in the present cemetery,
 with like improvements, or their value, to a reasonable extent, and
 that reinterments not otherwise provided for shall be made at the ex-
 pense of said city, and that the city of Port Huron, shall hold such
 moneys in trust for the purposes herein specified, and for no other
 whatever; and conveyances of the blocks and lots sold by the Secre- Conveyances.
 tary of War, as herein provided for, shall be made to purchasers by the
 said Secretary of War under such rules and regulations as he shall pre-
 scribe, and the survey and plat, or a copy thereof, herein provided for, Survey and
 shall be recorded in the office of the register of deeds in Saint Clair plat to be record-
 County, and the same, or duly certified copies thereof, shall be evi- ed.
 dence in all courts for all lawful purposes connected therewith: *And* Majority of cit-
provided further, That said city shall obtain the consent of a majority izens to consent
 of the citizens thereof, owning or occupying lots in said cemetery, to removal of
 such removal. (a) cemetery.

(a) See Nos. 531, 533, 546, 551, 555, 558, 559, 576, 580, 594.

No. 579.—AN ACT extending the time for the completion of the Portage Lake and Lake Superior ship canal.

March 3, 1873.
 Vol. 17, p. 627.

Be it enacted, &c., That the time for the completion of the Portage Lake Time for com-
 and Lake Superior ship canal be and the same is hereby extended to pleting the Port-
 the first day of December, anno Domini eighteen hundred and seventy- age Lake and
 three. (a) Lake Superior
 ship canal ex-
 tended.

(a) See Nos. 543, 550, 556, 570.

No. 580.—AN ACT authorizing the Secretary of War to grant a right of way across a corner of the Fort Gratiot military reservation to the city railroad company, Port Huron, Michigan.

June 18, 1874.
 Vol. 18, p. 81.

Be it enacted, &c., That the Secretary of War be, and he is hereby, Right of way
 authorized, in his discretion, to grant a permit to the Port Huron City to street railroad
 street railroad to lay and use a curved tract over the northwest corner over Fort Gratiot
 of the Fort Gratiot military reservation, in a curve having a radius of military reserva-
 fifty-four feet, and encroaching upon the reservation about fifteen feet tion.
 from the angle. (a)

(a) See Nos. 531, 533, 546, 551, 555, 558, 559, 576, 578, 594.

June 22, 1874. **No. 581.**—AN ACT relinquishing the rights of the United States in certain lands in the State of Michigan.

Rights of United States to certain land in Saginaw River relinquished to riparian owners.

Saving clause. Proviso.

Certain rights not affected.

Be it enacted, &c., That all rights and title of the United States to the middle ground or island in the Saginaw River, lying within the prescribed limits of fractional section five, in township thirteen north, of range five east, and sections twenty-nine and thirty-two, in township fourteen north, of range five east, in the State of Michigan, are hereby relinquished to the riparian owners respectively of the lands on the shores of said river in front of or opposite to said island, saving and reserving to all persons or parties other than the United States any legal rights acquired therein: *Provided*, That this act shall not be construed or held to imply a claim of title on the part of the United States to said middle ground, but only as a relinquishment of any apparent right therein to the persons respectively to whom the lands on said shores were patented, their heirs and assigns: *Provided further*, That nothing contained in this act shall be construed to affect in any manner the rights of Stephen Marston, one of the proprietors and occupants of said middle ground.

March 3, 1875. Vol. 18, p. 425.

No. 582.—AN ACT making appropriations for the current and contingent expenses of the Indian Department, and for fulfilling treaty stipulations with various Indian tribes, for the year ending June thirtieth, eighteen hundred and seventy-six, and for other purposes.

Missionary Society of Methodist Episcopal Church.

Be it enacted, &c., * * * * * That the Secretary of the Interior be, and he is hereby, authorized to issue to the Missionary Society of the Methodist Episcopal Church a patent for the southeast quarter of section nine, in township fourteen north, of range four west, situate in the State of Michigan, as per fourth article of treaty of October eighteenth, eighteen hundred and sixty-four. * * * * *

March 3, 1875. Vol. 18, p. 510.

No. 583.—AN ACT to provide for the sale of the buildings and grounds known as the Detroit Arsenal, in the State of Michigan.

Detroit arsenal, Michigan, to be sold.

Manner and terms of sale.

Subdivision of the property.

Subdivisions to be sold separately.

Postponement of sales.

Be it enacted, &c., That the Secretary of War be, and he is hereby, authorized and directed to transfer to the custody and control of the Secretary of the Interior, for sale for cash, according to the existing laws of the United States relating to the public lands, after appraisal, to the highest bidder, after giving not less than ninety days' notice of the time and place of such sale in three of the most prominent newspapers published in said State, and at not less than the appraised value, the buildings and grounds known as the Detroit Arsenal in the State of Michigan: (a) *Provided*, That the Secretary of the Interior shall cause the said property to be subdivided into tracts of not more than forty acres each, or into town lots with proper streets to render the same accessible: *And provided further*, That each subdivision, together with any buildings, building materials, or other property thereon shall be appraised and offered separately, at public outcry, to the highest bidder, and in case any subdivision or subdivisions shall remain unsold, the sale shall be postponed from time to time until the entire tract shall be disposed of as hereinbefore provided. (b)

(a) See Nos. 453, 468, 471, 479, 481, 501.

(b) See Nos. 85, 197, 455, 467, 480, 503, 515, 526, 535, 574, 575, 584.

March 3, 1875. Vol. 18, p. 516.

No. 584.—AN ACT to amend the act entitled "An act for the restoration to homestead entry and to market of certain lands in Michigan," approved June tenth, eighteen hundred and seventy-two, and for other purposes.

Ottawa and Chippewa tribes; certain members to have patents.

Residue of lands, disposal of.

Be it enacted, &c., That the act approved June tenth, eighteen hundred and seventy-two, entitled "An act for the restoration to market of certain lands in Michigan," be, and hereby is, amended so as to authorize the Secretary of the Interior to cause patents to be issued to three hundred and twenty members of the Ottawa and Chippewa Indians of Michigan, for the selections found to have been made by them, but which were not, prior to the passage of said act, regularly reported and recognized by the Secretary of the Interior and Commissioner of Indian Affairs; (a) and the remainder of said lands not disposed of, and not valuable mainly for pine timber, shall be subject to

entry under the homestead laws, for one year from the passage of this act; and the lands remaining thereafter undisposed of shall be offered for sale at a price not less than two dollars and fifty cents per acre. (b)

SEC. 2. That all Indians who have settled upon and made improvements on section ten, in township forty-seven north, of range two east, and section twenty-four in township forty-seven north, of range three west, Michigan, shall be permitted to enter not exceeding eighty acres each, at the minimum price of land, upon making proof of such settlement and improvement before the register of the land office at Marquette, Michigan; and when said entries shall have been completed in accordance herewith, the remaining lands embraced within the limits of said sections shall be restored to market.

Indians settling on certain sections in Michigan, to enter lands in lieu, &c.

SEC. 3. That all actual, permanent, bona-fide settlers on any of the lands reserved for Indian purposes under the treaty with the Ottawa and Chippewa Indians of Michigan of July thirty-first, eighteen hundred and fifty-five, shall be entitled to enter not exceeding one hundred and sixty acres of land, either under the homestead laws or to pay the minimum price of land, on making proof of his or her settlement and continued residence before the expiration of ninety days from the passage of this act: *Provided*, That such settlers do not claim any of the lands heretofore patented to Indians, or in conflict with the selections found to have been made by Indians referred to in the first section of this act, and shall have settled upon said lands prior to the first day of January, eighteen hundred and seventy-four.

Settlers on lands reserved by treaty with Ottawa and Chippewa Indians.

Proviso.

(a) See Nos. 575, 588.

(b) See Nos. 85, 197, 455, 467, 480, 503, 515, 526, 535, 574, 575, 583.

No. 585.—AN ACT to set apart a certain portion of the island of Mackinac in the Straits of Mackinac, within the State of Michigan, as a National park.

March 3, 1875.
Vol. 18, p. 517.

Be it enacted, &c., That so much of the island of Mackinac, lying in the Straits of Mackinac, within the county of Mackinac, in the State of Michigan, as is now held by the United States under military reservation or otherwise, (excepting the Fort Mackinac and so much of the present reservation thereof as bounds it to the south of the village of Mackinac, and to the west, north and east respectively by lines drawn north and south, east and west, at a distance from the present fort flag-staff of four hundred yards,) hereby is reserved and withdrawn from settlement, occupancy, or sale under the laws of the United States, and dedicated and set apart as a National public park, or grounds, for health, comfort, and pleasure, for the benefit and enjoyment of the people; and all persons who shall locate or settle upon or occupy the same, or any part thereof, except as herein provided, shall be considered trespassers, and removed therefrom.

Part of Mackinac Island set apart as a National park.

Trespassers.

SEC. 2. That said public park shall be under the exclusive control of the Secretary of War, whose duty it shall be as soon as practicable, to make and publish such rules and regulations as he may deem necessary or proper for the care and management of the same. Such regulations shall provide for the preservation from injury or spoliation of all timber, mineral deposits, natural curiosities, or wonders within said park, and their retention in their natural condition. The Secretary may in his discretion, grant leases for building purposes, of small parcels of ground, at such places in said park as shall require the erection of buildings for the accommodation of visitors for terms not exceeding ten years; all of the proceeds of said leases and all other revenues derived from any source connected with said park, to be expended, under his direction, in the management of the same and in the construction of roads and bridle paths therein. He shall provide against the wanton destruction of game or fish found within said park and against their capture or destruction for any purposes of use or profit. He also shall cause all persons trespassing upon the same after the passage of this act to be removed therefrom, and generally shall be authorized to take all such measures as shall be necessary or proper to fully carry out the objects and purposes of this act.

Control and management of park.

Regulations.

Leases.

Preservation of game and fish.

Removal of trespassers.

SEC. 3. That any part of the park hereby created shall at all times be available for military purposes, either as a parade or drill ground, in time of peace, or for complete occupation in time of war, or whenever war is expected, and may also be used for the erection of any public buildings or works: *Provided*, That no person shall ever claim or receive

Use of park for military purposes.

No claim

against United of the United States any damage on account of any future amendment
States for dam- or repeal of this act, or the taking of said park, or any part thereof,
ages. for public purposes or use.

March 3, 1875.
Vol. 18, p. 519.

No. 586.—AN ACT to donate a certain portion of the military reservation of Fort Brady to school district number one, in township of Sault Sainte Marie, and State of Michigan for school purposes.

Certain portion of military reservation of Fort Brady donated to school district of Sault Sainte Marie.

Be it enacted, &c., That a certain portion of the military reservation of Fort Brady, situate in the county of Chippewa, and State of Michigan, containing one and twenty-six hundredths acres, and bounded on the north by Portage street, on the east by Church street, on the south by Ridge street and on the west by the west line of said military reservation, be, and the same is hereby, donated to school district numbered one in township of Sault Sainte Marie, in the county and State aforesaid, for school purposes, and for no other purpose. (a)

Streets established.

SECTION 2. That so much of Portage street, Church street and Ridge street, in the village of Sault Sainte Marie, as is so represented upon a map of said village filed in the General Land Office, as shall embrace the portion of ground aforesaid be established as such streets.

(a) See Nos. 458, 476, 493, 562.

March 13, 1876.
Vol. 19, p. 416.

No. 587.—AN ACT legalizing the homestead entry of Mrs. Phoebe C. Oakley, of Bay County, Michigan.

Homestead entry of Phoebe C. Oakley confirmed.

Be it enacted, &c., That the homestead entry of Mrs. Phoebe C. Oakley, of Bay County Michigan, number twenty-seven hundred and thirteen, embracing the east half of northwest quarter of section eighteen, in township number fourteen north, of range number three east, in the State of Michigan, be, and the same is hereby, declared to be as valid as though she was the head of the family within the meaning of the homestead laws, and upon the proofs of occupancy and improvement by herself and family in the time and manner as required by law, the Commissioner of the General Land Office shall cause to be issued to her a patent therefor.

May 23, 1876.
Vol. 19, p. 53.

No. 588.—AN ACT extending the time within which homestead entries upon certain lands in Michigan may be made.

Amended.

Be it enacted, &c., That section one of an act entitled "An act to amend an act entitled 'An act for the restoration to market of certain lands in Michigan,' approved June tenth, eighteen hundred and and seventy-two," approved March third, eighteen hundred and seventy-five, be, and hereby is, amended so as to read as follows:

Patents for lands in Michigan to issue to certain Ottawa and Chippewa Indians.

That the act approved June tenth, eighteen hundred and seventy-two, entitled "An act for the restoration to market of certain lands in Michigan," be, and is hereby, amended so as to authorize the Secretary of the Interior to cause patents to be issued to three hundred and twenty members of the Ottawas and Chippewas of Michigan for the selections found to have been made by them, but which were not, prior to the passage of said act, regularly reported and recognized by the Secretary of the Interior and Commissioner of Indian Affairs; and the remainder of said lands not disposed of, and not valuable mainly for pine timber, shall be subject to entry under the homestead laws. (a)

Remainder subject to homestead entry.

(a) See Nos. 573, 584.

Jan. 19, 1877.
Vol. 19, p. 503.

No. 589.—AN ACT for the relief of Ephraim P. Abbott.

Patent for land to E. P. Abbott.

Be it enacted, &c., That upon the payment of two dollars and fifty cents per acre by Ephraim P. Abbott, of the county of Wayne, in the State of Michigan, his heirs or assigns, into the Treasury of the United States, or to the receiver of the land office of the district in which the following lands are situated, within six months from the passage of this act, the Commissioner of the General Land Office, shall cause a patent to be issued to said Ephraim P. Abbott, his heirs or assigns, releasing to him or them all the right, title, and interest of the United States in and to the following-described tract of land, situate in the township of Ecorse, county of Wayne, and State of Michigan, lying in rear of and

adjoining private claim numbered six hundred and sixty-seven, fronting on the river Rouge, and patented to Gabriel Godfrey, said tract so lying in the rear of said front claim and extending back, of equal width of said front claim, to the line of lands patented to James May, and being bounded on the north by the rear of said front claim, eastwardly by the line of private claim numbered thirty-seven, confirmed to Charles Chovin, continued to the land so patented to James May, and westwardly by lands authorized by act of Congress of July first, eighteen hundred and seventy, to be pre-empted by Thomas Henderson; but such patent shall, in no manner, interfere with any valid adverse right to said land, nor preclude a judicial investigation, in any court of law or equity between the patentee, his heirs or assigns and any adverse claimant of the said lands: *Provided also*, That any incumbrance or conveyance of said land by Robert Abbott now deceased, the father of said Ephraim P., or any of the heirs of said Robert Abbott, shall have the same effect as if said land had been patented to said Robert Abbott during his life.

Proviso.

Proviso.

No. 590.—AN ACT authorizing the survey of certain townships in Michigan, and making an appropriation therefor.

Feb. 16, 1877.
Vol. 19, p. 231.

Be it enacted, &c., That the Commissioner of the General Land Office is hereby directed to cause to be surveyed towns numbered eighteen and nineteen north, of range one west, in the State of Michigan these towns having never been properly surveyed; and that there be appropriated, out of any money in the Treasury not otherwise appropriated, a sum sufficient to pay the expense thereof, not exceeding twenty-five hundred dollars. (a)

Appropriation
Surveying land
in Michigan.

(a) See Nos. 11, 197, 458, 460, 509, 513.

No. 591.—AN ACT to authorize Louis Petoskey, of Michigan, to enter a certain tract of land which embraces his home and improvements.

March 3, 1877.
Vol. 19, p. 548.

Be it enacted, &c., That Louis Petoskey, of the State of Michigan, be, and he is hereby, authorized to enter the south half of the northeast quarter of section five, in township thirty-four, north of range five west, in the district of lands subject to sale at Traverse City, Michigan, upon payment to the receiver of public moneys of the legal price thereof.

Louis Petoskey
may enter cer-
tain land.

No. 592.—AN ACT to authorize the Secretary of War to convey to Jacob A. T. Wendell, Henry Van Allen, and John R. Bailey, a part of the military reservation of Fort Mackinac.

March 1, 1879.
Vol. 20, p. 326.

Be it enacted, &c., That the Secretary of War be, and he is hereby, authorized and directed to convey, by proper deed, to Jacob A. T. Wendell, Henry Van Allen, and John R. Bailey, all the right, title, and interest of the United States in and to the following-described part of the military reservation of Fort Mackinac, Michigan, of which the said Jacob A. T. Wendell shall be entitled to one-fourth, Henry Van Allen two-fourths, and John R. Bailey one-fourth: Beginning at a stone monument marking a corner of the military reservation, and standing between the said military reservation and property of Jacob A. T. Wendell, and running in continuation of a line now between said properties north one degree east fifty-eight feet six inches; thence east two hundred and forty-one and five-tenths feet; thence south one degree west parallel with the first line, fifty-eight feet six inches, to a stone monument marking a corner of the military reservation, and standing between the said military reservation and property of John R. Bailey; thence west parallel with the second line, along a line of the official survey made by Major G. Weitzel, United States Army, in eighteen hundred and seventy-five, two hundred and forty-one and five-tenths feet, to the stone monument at the place of beginning.

Fort Mackinac
military reserva-
tion.

Part of, to be
conveyed to J. A.
T. Wendell and
others.

March 3, 1879. **No. 593.**—JOINT RESOLUTION releasing the reversionary claim and interest of the United States in and to certain lands in the State of Michigan.

Michigan.
Release of
lands to.

Be it resolved, &c., That the United States hereby releases to the State of Michigan any and all reversionary interest which may remain in the United States in such of the lands granted to, and acquired by the said State of Michigan by act of Congress of June third, eighteen hundred and fifty-six, and certified to the said State in accordance with the said act, as were granted to aid the construction of the road from Grand Haven to Flint, and thence to Port Haron. This release shall not in any manner affect any legal or equitable rights in said lands, which have been acquired, but all such rights shall be and remain unimpaired. (a)

(a) See Nos. 526, 531, 535, 538, 539, 540, 542, 544, 545, 548, 552, 553, 567, 568, 569, 573, 575, 594.

June 16, 1880.
Vol. 21, p. 310.

No. 594.—JOINT RESOLUTION to authorize the Secretary of War to sell or lease to the Port Huron and Northwestern Railway Company all of the Fort Gratiot military reserve, and to authorize the city of Port Huron to grant to said railway company the right of way through Pine Grove Park.

Port Huron
and Northwest-
ern Railway Co.;
sale of Fort Gra-
tiot military re-
serve.

Resolved, &c., That the Secretary of War is hereby authorized to sell to the Port Huron and North western Railway Company all of the Fort Gratiot military reserve remaining unsold or undisposed of; and the value of said remaining reserve shall be appraised by a board, appointed by the Secretary of War, consisting of three competent and disinterested officers of the United States Army; and the price at which the same shall be sold shall not be less than the appraisal by said board, and the sale shall be made only under the direction and approval of the Secretary of War. (a) And the city of Port Huron is hereby authorized to grant said railway company the right of way through the easterly portion of that part of the military reserve granted to said city for use as a park, and known and described as Pine Grove Park. (b)

Right of way
through Pine
Grove Park.

(a) See Nos. 531, 533, 546, 551, 555, 558, 559, 576, 578, 580.

(b) See Nos. 526, 531, 535, 538, 539, 540, 542, 544, 545, 548, 552, 553, 567, 568, 569, 573, 575, 593.

W I S C O N S I N .

No. 595.—AN ACT to revive the powers of the commissioners for ascertaining and deciding on claims to land in the district of Detroit, and for settling the claims to land at Green Bay and Prairie des Chiens, in the Territory of Michigan. May 11, 1830.
Vol. 3, p. 572.
[See MICHIGAN, No. 464.]

No. 596.—AN ACT to revive and continue in force certain acts for the adjustment of land claims in the Territory of Michigan. Feb. 21, 1823.
Vol. 3, p. 724.
[See MICHIGAN, No. 466.]

No. 597.—AN ACT to ascertain and mark * * * the northern boundary of the State of Illinois, and for other purposes. March 2, 1831.
Vol. 4, p. 479.
[See ILLINOIS, No. 378.]

No. 598.—AN ACT to create the office of surveyor of the public lands for the State of Louisiana. March 3, 1831.
Vol. 4, p. 492.

* * * * *

SEC. 7. *And be it further enacted,* That all the lands to which the Indian title has been extinguished lying north of the northern boundary of the State of Illinois, west of Lake Michigan, and east of the Mississippi River, shall be surveyed in the same manner and under the same regulations, provisions, restrictions and reservations as the other public lands are surveyed. (a) Survey of cer-
tain lands.

* * * * *

(a) See Nos. 607, 655, 656, 668.

No. 599.—AN ACT to create additional land districts in the States of Illinois and Missouri, and in the territory north of the State of Illinois. June 26, 1834.
Vol. 4, p. 686.
[See ILLINOIS, No. 389.]

No. 600.—AN ACT establishing the Territorial government of Wisconsin. April 20, 1836.
Vol. 5, p. 10.

Be it enacted, &c., That from and after the third day of July next, the country included within the following boundaries shall constitute a separate Territory, for the purposes of temporary government, by the name of Wisconsin; that is to say: Bounded on the east, by a line drawn from the northeast corner of the State of Illinois, through the middle of Lake Michigan, to a point in the middle of said lake, and opposite the main channel of Green Bay, and through said channel and Green Bay to the mouth of the Menomonic River; thence through the middle of the main channel of said river, to that head of said river nearest to the Lake of the Desert; thence in a direct line, to the middle of said lake; thence through the middle of the main channel of the Montreal River, to its mouth; thence with a direct line across Lake Superior, to where the territorial line of the United States last touches said lake northwest; thence on the north, with the said territorial line, to the White Earth River; on the west, by a line from the said boundary line following down the middle of the main channel of White Earth River, to the Missouri River, and down the middle of the main channel of the Missouri River to a point due west from the northwest corner of the State of Missouri; and on the south, from said point, due east to the northwest corner of the State of Missouri; and thence with the boundaries of the States of Missouri and Illinois, as already fixed by acts of Congress. And after the said third day of July next, all power

What country
shall constitute
the Wisconsin
Territory.

Proviso. and authority of the government of Michigan in and over the Territory hereby constituted, shall cease: *Provided*, That nothing in this act contained shall be construed to impair the rights of person or property now appertaining to any Indians within the said Territory, so long as such rights shall remain unextinguished by treaty between the United States and such Indians, or to impair the obligations of any treaty now existing between the United States and such Indians, or to impair or otherwise to affect the authority of the Government of the United States to make any regulations respecting such Indians, their lands, property, or other rights, by treaty, or law, or otherwise, which it would have been competent to the Government to make if this act had never been passed: *Provided*, That nothing in this act contained shall be construed to inhibit the Government of the United States from dividing the Territory hereby established into one or more other Territories, in such manner, and at such times, as Congress shall, in its discretion, deem convenient and proper, or from attaching any portion of said Territory to any other State or Territory of the United States. (a)

Powers of the legislature. SEC. 6. *And be it further enacted*, That the legislative power of the Territory shall extend to all rightful subjects of legislation; but no law shall be passed interfering with the primary disposal of the soil; no tax shall be imposed upon the property of the United States; nor shall the lands or other property of non-residents be taxed higher than the lands or other property of residents. (b)

(a) See Nos. 378, 394, 487, 491, 498, 499, 597, 602, 603, 606, 608, 613, 622, 624, 626, 629.

(b) See No. 622.

June 15, 1836. **No. 601.**—AN ACT to divide the Green Bay land district in Michigan, and for other purposes.

Vol. 5, p. 48.

[See MICHIGAN, No. 490a.]

June 15, 1836. **No. 602.**—AN ACT to establish the northern boundary line of the State of Ohio, and to provide for the admission of the State of Michigan into the Union upon the conditions therein expressed.

Vol. 5, p. 49.

[See MICHIGAN, No. 491.]

June 23, 1836. **No. 603.**—AN ACT to settle and establish the northern boundary of the State of Ohio.

Vol. 5, p. 56.

[Northern boundary line of Illinois defined. See ILLINOIS, No. 394.]

July 2, 1836. **No. 604.**—AN ACT for laying off the towns of Fort Madison and Burlington, in the county of Des Moines, and the towns of Bellevue, Du Buque, and Peru, in the county of Du Buque, Territory of Wisconsin, and for other purposes.

Vol. 5, p. 70.

[See IOWA, No. 1757.]

March 3, 1837. **No. 605.**—AN ACT to amend an act entitled "An act for laying off the towns of Fort Madison and Burlington, in the county of Des Moines, and the towns of Bellevue, Du Buque, and Peru, in the county of Du Buque, and Mineral Point, in the county of Iowa, Territory of Wisconsin, and for other purposes," approved July second, eighteen hundred and thirty-six.

Vol. 5, p. 178.

[See IOWA, No. 1758.]

June 12, 1838. **No. 606.**—AN ACT to divide the Territory of Wisconsin and to establish the Territorial government of Iowa.

Vol. 5, p. 235.

[See IOWA, No. 1759.]

No. 607.—AN ACT to create the office of surveyor of public lands in the Wisconsin Territory.

June 12, 1838.
Vol. 5, p. 243.

Be it enacted, &c., That a surveyor for the Territory of Wisconsin shall be appointed, who shall have the same authority, and perform the same duties respecting the public lands and private land claims in the Territory of Wisconsin, as are now vested in and required of the surveyor of the lands of the United States in Ohio.

A surveyor to be appointed, who shall have the same authority, &c.

SEC. 2. *And be it further enacted,* That it shall be the duty of the surveyor for Ohio to deliver to the surveyor for Wisconsin Territory, all the maps, papers, records, and documents relating to the public lands and private land claims in the said Territory of Wisconsin, which may be in his office; and in every case where it shall be impracticable to make a separation of such maps, papers, records and documents, without injury, it shall be his duty to cause copies thereof, certified by him, to be furnished to the surveyor for Wisconsin Territory; which copies shall be of the same validity as the originals. And the Secretary of the Treasury is hereby authorized to cause the expense attending the transfer of the records to be paid out of the appropriation for surveying the public lands.

Surveyor for Ohio to deliver to surveyor for Wisconsin all maps, &c., in his office, relating to lands in Wisconsin; or certified copies.

Expense of the transfer to be paid, &c.

SEC. 3. *And be it further enacted,* That the surveyor for Wisconsin Territory, to be appointed in pursuance of this act, shall establish his office at the town of Du Buque, in the Territory of Wisconsin; and that he shall be allowed an annual salary of fifteen hundred dollars, to commence at such period as his office shall be in readiness for operation; and he shall be authorized to employ one draughtsman and clerk, whose aggregate compensation shall not exceed sixteen hundred dollars per annum. He shall also be allowed the sum of three hundred and fifty dollars per annum, for office rent, fuel, and other incidental expenses of his office; to be paid out of any money appropriated for surveying the public land. (a)

Surveyor of Wisconsin to establish his office at Dubuque.

Salary.

Authorized to employ a draftsman and clerk; their salaries.

Office rent, &c.

(a) See Nos. 596, 655, 656, 668.

No. 608.—AN ACT to ascertain and designate the boundary line between the State of Michigan and the Territory of Wisconsin.

June 12, 1838.
Vol. 5, p. 244.

[See MICHIGAN, No. 498.]

No. 609.—AN ACT concerning a seminary of learning in the Territory of Wisconsin.

June 12, 1838.
Vol. 5, p. 244.

Be it enacted, &c., That the Secretary of the Treasury be, and he is hereby, authorized to set apart and reserve from sale, out of any of the public lands within the Territory of Wisconsin, to which the Indian title has been, or may be, extinguished, and not otherwise appropriated, a quantity of land not exceeding two entire townships, for the use and support of a university within the said Territory, and for no other use or purpose whatsoever; to be located in tracts of land of not less than an entire section, corresponding with any of the legal divisions into which the public lands are authorized to be surveyed. (a)

Secretary Treasury to set apart not exceeding two townships of land for the use of a university.

(a) See Nos. 622, 626, 629, 640.

No. 610.—AN ACT to grant a quantity of land to the Territory of Wisconsin, for the purpose of aiding in opening a canal to connect the waters of Lake Michigan with those of Rock River.

June 18, 1838.
Vol. 5, p. 245.

Be it enacted, &c., That there be, and hereby is, granted to the Territory of Wisconsin, for the purpose of aiding in opening a canal to unite the waters of Lake Michigan, at Milwaukee, with those of Rock River, between the point of intersection with said river, of the line dividing townships seven and eight and the Lake Koshkonong, all the land heretofore not otherwise appropriated or disposed of in those sections and fractional sections which are numbered with odd numbers on the plats of the public surveys, within the breadth of five full sections, taken in north and south, or east and west tiers, on each side of the main route of said canal, from one end thereof to the other, and reserving the even-numbered sections and fractional sections, taken as above, to the United States; and the said land, so granted to aid in the construction of said canal, shall be subject to the disposal of the legislature of the said Territory, for the purpose aforesaid, and no other: *Provided,* That the said canal, when completed, and the branches thereof, shall be, and for ever

Certain lands granted to Wisconsin to aid in opening a canal, &c.

Lands so granted shall be subject to the disposal of the legislature.

Provided.

Proviso.

remain, a public highway, for the use of the Government of the United States, free from any toll or other charge whatever, for any property of the United States, or persons in their service, passing through the same: *Provided*, That said main canal shall be commenced within three years, and completed in ten years, or the United States shall be entitled to receive the amount for which any of said land may have been previously sold, and that the title to purchasers under the Territory shall be valid. (a)

The governor shall transmit a plat of the route, &c., to the Commissioner of the General Land Office, who shall ascertain the lands herein granted, and cause lists of them to be prepared, &c.

SEC. 2. *And be it further enacted*, That so soon as the route of the said main canal shall be definitely located and established, agreeably to an act of the legislature of said Territory, incorporating the Milwaukee and Rock River Canal Company, approved January fifth, 1838, it shall be the duty of the governor thereof, to transmit a plat of the same, showing its terminations and its connections with the section corners of the public surveys, to the Commissioner of the General Land Office, whose duty it shall be to ascertain, under the direction of the President of the United States, the particular lands herein granted to said Territory; and shall cause duplicate lists of the same to be prepared from the plats on file in his office, one of which he shall transmit to the governor of said Territory, who, or such other person or persons as shall be appointed for the purpose, under the authority of the legislature of the said Territory, or of the State which may be erected out of the same, after the admission of such State, shall have power to sell or convey the whole, or any part of said land, at a price not less than two dollars and fifty cents per acre, and to give a title in fee-simple therefor, to whomsoever shall purchase the whole or any part thereof.

Prices of the land.

SEC. 3. *And be it further enacted*, That the alternate sections and fractional sections which shall remain to the United States, agreeably to the first section of this act, shall not be sold for a less sum than two dollars and fifty cents per acre, nor be subject to pre-emption. (b)

Sections divided by route of main canal, how to be counted.

SEC. 4. *And be it further enacted*, That in reference to the provisions of the first section of this act, where a section shall be divided by the route of the main canal, such section shall be counted (in fixing the lateral limits of said grant) as being on or towards that side of the line next the larger portion of said section, ascertained by reference to the mile-lines and corners of the sections, and the land and water thereby included.

Whenever the Territory of Wisconsin shall become a State, such part of the lands hereby granted as may not have been sold shall vest in the State, &c.

SEC. 5. *And be it further enacted*, That whenever the Territory of Wisconsin shall be admitted into the Union as a State, the lands hereby granted for the construction of the said canal, or such part thereof as may not have been already sold, and applied to that object, under the direction of the Territorial government, shall vest in the State of Wisconsin, to be disposed of under such regulations as the legislature thereof may provide, the proceeds of sale to be applied to the construction of the said canal, or of such part thereof as may not have been completed, and the State of Wisconsin shall be entitled to hold, in virtue of the grant hereby made, as many shares of the stock of the said canal as shall be equivalent to the aggregate of all the sums of money arising from the nett proceeds of the sales of the said lands, and applied to the construction of the canal, anything in the charter of the Milwaukee and Rock River Canal Company to the contrary notwithstanding, and shall be entitled to the same dividends on said stock as any other stockholder; and in the event that the said State shall make no other adequate provision for purchasing out the residue of the stock of the said canal, the dividends of the State stock hereby acquired, and all other proceeds of the sales of the lands hereby granted, shall constitute a fund, and be applied to the extinguishment of the claims of all other stockholders, until the entire stock vested in the canal shall have been acquired by the State: after which, and after the said State shall have been reimbursed for all expenses incurred out of her own proper funds in the construction and repairs of said canal, no other tolls or charge whatever, for the use or navigation of the said canal shall be levied, except to such amount as may be required to keep the said canal and the works appurtenant thereto in good repair, and provide for the collection of the tolls and the superintendence of said canal: *Provided*, moreover, That no part of the said lands shall be sold for less than two dollars and a half per acre, nor any sale made until after three months' public notice thereof, and to the highest bidder; but in case such price cannot be obtained therefor, within five years from the first sale attempted to be made, it shall and may be lawful for the Territorial or

Number of shares the State of Wisconsin may hold in said canal, &c.

Provisions relating to the claims of stock, &c.

Proviso.

State legislature of Wisconsin to reduce the minimum price of the said lands.

SEC. 6. *And be it further enacted*, That the said State of Wisconsin, shall be held responsible to the United States, and for the payment into the Treasury thereof, of the amount of all moneys received upon the sale of the whole or any part of said land, at the price at which the same shall be sold, not less than two dollars and fifty cents per acre, if the said main canal shall not be commenced within three years, and completed within ten years, pursuant to the provisions of the act creating said canal corporation. Wisconsin responsible to the United States for all moneys received, &c.

SEC. 7. *And be it further enacted*, That, in order to render effectual the provisions of this act, the legislature of the State to be erected or admitted out of the territory now comprised in Wisconsin Territory, east of the Mississippi, shall give their assent to the same by act to be duly passed. Assent of the legislature required.

SEC. 8. *And be it further enacted*, That, for the purpose of securing a better price for the lands hereby granted, and expediting the construction of the said canal, the Territorial legislature of Wisconsin may borrow, upon a pledge of the said lands, such sum or sums of money as they may think expedient, and defer the sale of said lands, or any part thereof, until such time or times, not exceeding two years beyond the period of the completion of said canal, as they may deem expedient; and for such sum or sums as may be so borrowed, and applied to the construction of said canal, the State of Wisconsin shall be entitled to such interest in the stock of said canal as shall be equivalent thereto in amount, and the interest so acquired shall be subject to all the obligations and restrictions provided in the last section of this act. The legislature of Wisconsin may borrow upon a pledge of said lands.

SEC. 9. *And be it further enacted*, That the assent of Congress is hereby given to the act of the Territorial legislature of Wisconsin entitled an act to incorporate the Milwaukee and Rock River Canal Company, subject to the preceding modifications and to the following provision; that in estimating the principal sum and interest to be paid by the said Territory or the future State of Wisconsin to the stockholders of the said canal, a credit shall be given to the Territory or State for all dividends received by the said stockholders prior to the extinguishment of their interest in the said canal, in the mode provided by the twenty-third section of the said act of incorporation. Assent of Congress hereby given to the act of the legislature of Wisconsin, incorporating the Milwaukee and Rock River Canal Company.

SEC. 10. *And be it further enacted*, That Congress may, at any time until said Territory shall be admitted as a State, prescribe and regulate the tolls to be received by said company; and after said Territory shall be admitted as a State, the legislature thereof shall possess the like power; and said act of incorporation is hereby approved, subject to the modification and conditions aforesaid. Tolls.

SEC. 11. *And be it further enacted*, That the Secretary of the Treasury shall reserve from sale the lands probably falling within the limits of said grant, and the lands which, by the first section, were reserved to the United States, until the said canal can be located and the lands selected as contemplated by this act, and no pre-emption right shall attach thereto. Lands probably falling within limits of said grant, &c., to be reserved from sale.

(a) See Nos. 626, 629, 661.

(b) See Nos. 389, 599, 601, 616, 626, 627, 629, 630, 635, 644, 649, 650, 654, 656, 659, 663, 667, 679, 680, 686, 694.

No. 611.—AN ACT for the relief of the Brothertown Indians, in the Territory of Wisconsin.

March 3, 1839.
Vol. 5, p. 349.

Be it enacted, &c. That the township of land containing twenty-three thousand and forty acres, lying on the east side of Winnebago Lake, in the Territory of Wisconsin, which, by the proviso of a treaty made with the Menomonie Indians on the seventeenth February, eighteen hundred and thirty-one, and ratified on the ninth July 1832, was reserved for the use of the Brotherton or Brothertown Indians, and which by a subsequent treaty with the Menomonie tribe, bearing date 27th October 1832, and ratified 13th March 1833, was further secured to the said Brothertown Indians, may be partitioned and divided among the different individuals composing said tribe of Brothertown Indians, and may be held by them separately and severally in fee-simple, after such division shall have been made in the manner hereafter mentioned. A township of land, lying, &c., may be divided among, &c.

SEC. 2. *And be it further enacted*, That, for the purpose of making partition and division of said lands among the individuals of said tribe of to be made by a

board of commis- Brothertown Indians, a board of commissioners shall be constituted, to
sioners. consist of five of the principal or head men of said tribe, a majority of whom shall constitute a quorum to do business, whose duty it shall be to make a just and fair partition and division of said lands among the members of said tribe, or among such of them as, by the laws and customs and regulations of said tribe, are entitled to the same, and in such proportions and in such manner as shall be consistent with equity and justice, and in accordance with the existing laws, customs, usages, or agreements of said tribe.

A meeting to be held for the election, &c. SEC. 3. *And be it further enacted*, That, for the purpose of electing or choosing said board of commissioners, a meeting of said tribe shall be held at their church, or principal place, on the reservation of land aforesaid, on the first Monday in July next, at which all the male members of said tribe over the age of twenty-one years shall be allowed to vote for such commissioners; and the said five commissioners shall then and there be chosen or elected by the said tribe, by a majority of the whole number of such voters then present. And the judge of the district in which said lands are situated (or in his absence the register of the land office at Green Bay, or the commanding officer of the United States troops at Fort Howard) shall attend at the time and place aforesaid, and preside at said meeting, superintend the said election, and see that the proceedings are fairly conducted: and the said presiding officer may, in his discretion, prescribe whether the said election shall be by ballot or viva voce; and shall in other respects cause the proceedings to be conducted in such manner as to ensure a fair and proper choice or election; and after the said commissioners shall have been so chosen or elected, the said presiding officer shall immediately certify that fact, setting forth the names of the commissioners who shall be elected, and shall make two copies of said certificate, one of which he shall file in the office of the register of the land district at Green Bay, and the other he shall transmit by mail to the President of the United States.

Division, how to be made. SEC. 4. *And be it further enacted*, That after the said commissioners shall have been elected or chosen as above prescribed, and as soon thereafter as conveniently may be, they shall proceed to make partition and division of all the lands aforesaid among the individual members of said tribe, or among such of them as, by the laws, customs, usages, or agreements of said tribe are justly entitled to the same, and in such way and manner, and upon such principles and in such proportions as shall be agreeable to equity and justice, and consistent with the laws, usages, customs, and agreements of said tribe: *Provided, however*, That the buildings and improvements, and the farms on which the same are situated, which are now held or possessed in severalty by the members of said tribe, shall, so far as the same can consistently be done, be allotted or apportioned to the present occupants; and that no person or individual of said tribe shall be dispossessed or deprived of the improvements or land which they now occupy, unless it shall be found by the said commissioners that such person or persons are in the possession of and occupying more land than they are justly entitled to, and then the overplus may be apportioned to others.

Commissioners to report their proceedings, &c. SEC. 5. *And be it further enacted*, That after the said commissioners shall have made such partition and division as aforesaid, they shall make, or cause to be made, a full report of their proceedings in the premises, setting forth the name of each person to whom they have apportioned any part of said land, the quantity apportioned or allotted to each, with the metes and bounds, or other definite description of each several piece or parcel of land; and they shall accompany the said report with a fair and accurate map of the whole, showing the divisions and partitions aforesaid; which report and map, or a copy thereof, shall be deposited with the town clerk of said tribe, on or before the first day of October next, and shall remain open for inspection to all, for the space of twenty days thereafter; and if any member or members of said tribe shall object to the partition or division so made by the said commissioners, or shall deem himself or themselves aggrieved thereby, he or they may, within ten days thereafter, give notice thereof to the said commissioners, who shall, within twenty days thereafter, meet to hear and determine such grievances, and take testimony if necessary; and after such hearing, shall have power to alter or modify such partition, if, in their judgment, any alteration or modification is necessary, in order to do equal and exact justice to all parties in interest.

Proceedings to be had if objection is made.

Copy of report SEC. 6. *And be it further enacted*, That, after the said report shall be

A map to accompany the report, &c.

finally completed, the commissioners shall cause [three copies] of the said report, and of the map accompanying the same, as finally agreed upon and settled, to be made and signed by said commissioners, one copy of which shall be deposited in the office of the secretary of said Territory, one copy in the office of the clerk of the county within which said lands are situated, and the other shall be transmitted to the President of the United States, who shall thereupon cause patents to be issued to the several individuals named in said report, for the lands so apportioned to them respectively, by which the said persons shall be authorized to hold the said lands in fee-simple to themselves and their heirs and assigns.

SEC. 7. *And be it further enacted*, That the said report and map shall be filed with the secretary of said Territory, and in the clerk's office of said county, and shall also be transmitted to the President on or before the first day of January next; and after the same shall have been filed and transmitted to the President, as aforesaid, the said Brothertown Indians, and each and every of them, shall then be deemed to be, and from that time forth are hereby declared to be, citizens of the United States to all intents and purposes, and shall be entitled to all the rights, privileges, and immunities of such citizens, and shall, in all respects, be subject to the laws of the United States and of the Territory of Wisconsin, in the same manner as other citizens of said Territory; and the jurisdiction of the United States and of said Territory shall be extended over the said township or reservation now held by them in the same manner as over other parts of said Territory; and their rights as a tribe or nation, and their power of making or executing their own laws, usages, or customs, as such tribe, shall cease and determine: *Provided, however*, That nothing in this act shall be so construed as to deprive them of the right to any annuity now due to them from the State of New York or the United States, but they shall be entitled to receive any such annuity in the same manner as though this act had not been passed. (a)

Said Indians shall be citizens of the United States, &c.

Proviso.

(a) See No. 607.

No. 611a.—AN ACT for the relief of William Clark.

March 3, 1839.
Vol. 6, p. 782.

Be it enacted, &c., That the Secretary of War be, and he is hereby, directed to issue a land warrant for one hundred and sixty acres of land to William Clark, a Canadian volunteer, to be located on any of the unappropriated lands which have been offered for sale, and are subject to private entry in the Territory of Wisconsin: and also, that the Secretary of the Treasury do pay to said William Clark, the sum of twenty-four dollars, for three months extra pay, all which shall be in full compensation for the services of said Clark in the late war with Great Britain.

Land warrant to be issued.

No. 612.—AN ACT for the relief of John Dougherty, of Wisconsin.

March 3, 1839.
Vol. 6, p. 790.

Be it enacted, &c., That John Dougherty, of the Territory of Wisconsin, be, and is hereby, authorized to enter at the land office at Mineral Point, in the Territory aforesaid, by paying the minimum price for the same, section number twelve, of township number two, in range number three east, in the district of land subject to sale at Mineral Point; the said section being the same that was granted to his wife Mary, the daughter of Kee-no-kee, by stipulations embraced in the treaty entered into by and between the United States and the Winnebago tribe of Indians, at Prairie du Chien, August first, eighteen hundred and twenty-nine: *Provided*, That the certificate of the said John Dougherty, and the patent to be issued thereon, shall recite the provisions of this act, as the authority, by virtue of which his said entries have been made, and also show that such entries were made in right of his wife; and if the said John Dougherty shall abandon, or in any other manner separate from his said wife Mary, during her lifetime, then all the right, title, and interest in and to said section, and every part thereof, shall vest in said Mary, and inure to the sole benefit of herself and her children.

Authorized to enter certain land.

Proviso.

March 3, 1841.
Vol. 5, p. 433.

No. 613.—AN ACT making appropriations, &c.

[Survey of country between the Menomonie and Montreal rivers.
See MICHIGAN, No. 499.]

July 27, 1842.
Vol. 6, p. 841.

No. 614.—AN ACT to authorize the President of the United States to issue to the heirs of John Campbell a patent for the remainder of private land claim number twenty, at Prairie du Chien, in the Territory of Wisconsin.

Land patent to be issued.

Be it enacted, &c., That the President of the United States be, and hereby is, authorized to issue to the heirs of John Campbell a patent for a piece of land lying at Prairie du Chien, in the Territory of Wisconsin, and included within the following boundaries, to wit: beginning at the southeast corner of a tract of land patented to the heirs of John Campbell aforesaid, on the twelfth day of October, in the year one thousand eight hundred and thirty, and running thence due east one hundred and seventy-three chains and fifty links; thence, north, twenty-seven chains and twelve links; thence, west, to the northeast corner of the tract patented, as aforesaid, to the heirs of John Campbell; thence along the east boundary of the said tract, to the place of beginning, containing about four hundred and seventy-one acres, and being the balance of private land claim number twenty, to which the aforesaid heirs of John Campbell were entitled, under the provisions of the act of Congress, approved on the twenty-first day of February, one thousand eight hundred and twenty-three, entitled "An act to revive and continue in force certain acts for the adjustment of land claims in the Territory of Wisconsin."

Aug. 11, 1842.
Vol. 6, p. 850.

No. 615.—AN ACT for the relief of George H. Walker.

Authorized to enter certain land.

Be it enacted, &c., That George H. Walker be, and he hereby is, authorized to enter, at the land office in the district in which it lies, the northeast quarter of section thirty-two, in township seven north, of range twenty-two east, in the Milwaukee land district, Wisconsin Territory, at the sum of two dollars and fifty cents per acre, he having entitled himself to a pre-emption right thereto, under the act of the twenty-second of June, eighteen hundred and thirty-eight, by inhabitancy and cultivation, but said land having been reserved to the United States, as part of one of the "even sections" mentioned in the first section of the act of June eighteenth, eighteen hundred and thirty-eight, granting a quantity of land to the Territory of Wisconsin, for the purpose of aiding in opening a canal to connect the waters of Lake Michigan with those of Rock River.

Aug. 23, 1842.
Vol. 5, p. 521.

No. 616.—AN ACT for the relief of certain settlers in the Territory of Wisconsin.

Settlers at Mineral Point who have been refused entry under the pre-emption act of June 19, 1834, allowed to enter one quarter-section elsewhere

Be it enacted, &c., That every settler in the district of lands subject to sale at Mineral Point, in the Territory of Wisconsin, who shall show, by proof which shall be satisfactory to the register and receiver of the land office at Muscoday, that he, by cultivation and possession, as required by the pre-emption act of the nineteenth of June, eighteen hundred and thirty-four, was entitled to a right of pre-emption; and that he, the said settler, was refused the privileges granted by said act, in consequence of the mineral character of the tract of land applied for by him, shall be permitted to enter, at the rate of one dollar and twenty-five cents an acre, one complete quarter-section of land, of any lands in said land district which have not yet been offered at public sale: *Provided*, That no tract shall be entered, by any settler claiming under this act, which contains mines or discoveries of lead ore, or on which there may be an improvement, or on which any person may have a residence, or which may have been reserved from sale: *And provided, further*, That the claimant, under this act, and his witnesses, shall make oath, before a person duly qualified to administer oaths, to all the facts stated by them. (a)

Proviso.

Proviso, that the claimant shall make oath to the facts stated.

Instructions of Secretary Treasury to be complied with.

SEC. 2. *And be it further enacted*, That the provisions of this act be carried into effect, in conformity with the instructions which may be given by the Secretary of the Treasury, to the register and receiver of the land office at Muscoday.

(a) See Nos. 389, 509, 601, 610, 626, 627, 629, 630, 635, 644, 649, 650, 654, 656, 659, 663, 667, 679, 680, 686, 694.

No. 617.—AN ACT for the relief of the Stockbridge tribe of Indians, in the Territory of Wisconsin.

March 3, 1843.
Vol. 5, p. 645.

Be it enacted, &c., That the township of land, containing twenty-three thousand and forty acres, (or whatever quantity now remains to them,) lying on the east side of Winnebago Lake, in the Territory of Wisconsin, which, by the proviso of a treaty made with the Menomonie Indians on the seventeenth day of February, in the year eighteen hundred and thirty-one, and ratified on the ninth day of July, eighteen hundred and thirty-two, was reserved for the use of the Stockbridge tribe of Indians, and which, by a subsequent treaty with the Menomonie tribe, bearing date twenty-seventh October, eighteen hundred and thirty-two, and ratified thirteenth March, eighteen hundred and thirty-three, was further secured to the said Stockbridge tribe of Indians, may be partitioned and divided among the different individuals composing said tribe of Stockbridge Indians, and may be held by them, separately and severally, in fee-simple, after such division shall have been made in the manner hereinafter mentioned.

Land reserved for Stockbridge Indians may be divided.

SEC. 2. *And be it further enacted,* That for the purpose of making partition and division of said lands among the individuals of said tribe of Stockbridge Indians, a board of commissioners shall be constituted, to consist of five of the principal or head men of said tribe, a majority of whom shall constitute a quorum to do business, whose duty it shall be to make a just and fair partition and division of said lands among the members of said tribe, or among such of them as, by the laws and customs and regulations of said tribe, are entitled to the same, and in such proportions and in such manner as shall be consistent with equity and justice, and in accordance with the existing laws, customs, usages, or agreements of said tribe.

Board of commissioners to make the division, how constituted.

SEC. 3. *And be it further enacted,* That, for the purpose of electing or choosing said board of commissioners, a meeting of said tribe shall be held at their church or principal public place, on the reservation of land aforesaid, on the first Monday in April, eighteen hundred and forty-three, at which all the male members of said tribe, over the age of twenty-one years, shall be allowed to vote for such commissioners; and the said five commissioners shall then and there be elected or chosen by the said tribe, by a majority of the whole number of such voters then present. And the judge of the district in which said lands are situated (or, in his absence, the register of the land office at Green Bay, or the commanding officer of the United States troops at Fort Howard) shall attend at the time and place aforesaid, and preside at said meeting, superintend the said election, and see that the proceedings are fairly conducted. And the said presiding officer may, in his discretion, prescribe whether the said election shall be by ballot or viva voce, and shall, in other respects, cause the proceedings to be conducted in such a manner as to ensure a fair and proper choice or election: and after the said commissioners shall have been so chosen or elected, the said presiding officer shall immediately certify that fact, setting forth the names of the commissioners who shall be elected, and shall make two copies of said certificate, one of which he shall file in the office of the register of the land district at Green Bay, and the other he shall transmit by mail to the President of the United States.

Manner of electing the commissioners.

SEC. 4. *And be it further enacted,* That after the said commissioner shall have been elected or chosen as above prescribed, and as soon thereafter as conveniently may be, they shall proceed to make partition and division of all the lands aforesaid, among the individual members of said tribe, or among such of them as, by the laws, customs, usages, or agreements of said tribe, are justly entitled to the same, and in such way and manner, and upon such principles, and in such proportions, as shall be agreeable to equity and justice, and consistent with the laws, usages, customs, and agreements of said tribe: *Provided, however,* That the buildings and improvements, and the farms on which the same are situated, which are now held or possessed in severalty by the members of the said tribe, shall, so far as the same can consistently be done, be allotted or apportioned to the present occupants; and that no person or individual of said tribe shall be dispossessed or deprived of the improvements or land which they now occupy, unless it shall be found by the said commissioners that such person or persons are in possession of and occupying more land than they are justly entitled to, and then the overplus may be apportioned to others.

How the division shall be made.

Proviso.

SEC. 5. *And be it further enacted,* That after the said commissioners

Commissioners

to make a report of their proceedings, with a map.

Mode of proceeding in case of the division being unsatisfactory.

Three copies of report and map to be made and deposited.

Patents to be issued.

Disposition of the report and map to be made on or before 1st January, 1844; after which the Indians shall be citizens of the United States.

Proviso.

shall have made such partition and division as aforesaid, they shall make, or cause to be made, a full report of their proceedings in the premises, setting forth the name of each person to whom they have apportioned any part of said land, the quantity apportioned or allotted to each, with the metes and bounds, or other definite description of each several piece or parcel of land; and they shall accompany said report with a fair and accurate map of the whole, showing the divisions and partitions aforesaid; which report and map, or a true copy thereof, shall be deposited with the town clerk of said tribe, on or before the first day of July, eighteen hundred and forty-three, and shall remain open for inspection to all for the space of twenty days thereafter; and if any member or members of said tribe shall object to the partition or division so made by the said commissioners, or shall deem himself or themselves aggrieved thereby, he or they may, within ten days thereafter, give notice thereof to the said commissioners, who shall, within twenty days thereafter, meet to hear and determine such grievances, and take testimony, if necessary, and, after such hearing, shall have power to alter or modify such partition, if, in their judgment, any alteration or modification is necessary, in order to do equal and exact justice to all parties interested.

SEC. 6. *And be it further enacted*, That, after the said report shall be finally completed, the Commissioner shall cause three fair copies of the said report, and of the map accompanying the same, as finally agreed upon and settled, to be made and signed by said commissioners, one copy of which shall be deposited in the office of the secretary of said Territory, one copy in the office of the clerk of the county within which said lands are situated, and the other shall be transmitted to the President of the United States, who shall thereupon cause patents to be issued to the several individuals named in said report, for the lands so apportioned to them respectively, by which the said persons shall be authorized to hold the said land in fee-simple, to themselves and their heirs and assigns.

SEC. 7. *And be it further enacted*, That the said report and map shall be filed with the secretary of said Territory, and in the clerk's office of said county, and shall also be transmitted to the President, on or before the first day of January, eighteen hundred and forty-four; and, after the same shall have been filed and transmitted to the President as aforesaid, the said Stockbridge tribe of Indians, and each and every of them, shall then be deemed to be, and from that time forth are hereby declared to be, citizens of the United States, to all intents and purposes, and shall be entitled to all the rights, privileges, and immunities of such citizens, and shall, in all respects, be subject to the laws of the United States and of the Territory of Wisconsin, in the same manner as other citizens of said Territory; and the jurisdiction of the United States and of said Territory shall be extended over the said township or reservation now held by them, in the same manner as over other parts of said Territory; and their rights as a tribe or nation, and their power of making or executing their own laws, usages, or customs, as such tribe, shall cease and determine: *Provided, however*, That nothing in this act contained shall be so construed as to deprive them of the right to any annuity now due them from the State of New York or the United States, but they shall be entitled to receive any such annuity, in the same manner as though this act had not been passed. (a)

(a) See Nos. 621, 663, 664, 669, 674, 679, 693.

June 15, 1844.
Vol 5, p. 663.

NO. 618.—AN ACT granting a section of land for the improvement of Grant River at the town of Potosi, in Wisconsin Territory.

One section of land granted to be divided into lots and disposed of.

Proviso.

Be it enacted, &c., That there be, and hereby is, granted to the Territory of Wisconsin, section number thirty-four, in township number three north, in range number three west, of the fourth principal meridian in the said Territory, for the purpose of improving Grant River, known as the Grant Blue, at the town of Potosi, in the said Territory, and for no other use or purpose whatever: and the said land shall be surveyed, and divided into lots, and shall be sold and disposed of in such manner, and under such regulations and restrictions, as the legislature of the said Territory shall establish: *Provided*, That in disposing of the same, pre-emption rights shall be granted to actual settlers and occupants resid-

ing on said lots, at the time of the passage of this act, according to the provisions and restrictions in the next section provided.

SEC. 2. *And be it further enacted,* That the surveyor-general of Wisconsin and Iowa, shall appoint three disinterested commissioners, whose duty it shall be to view and examine all the lots which are actually occupied and improved, and assess the true value of said lots, without taking into the estimation, any of the improvements on the same; and the occupants of said lots, by paying, within one year from the passage of this act, the assessed value as aforesaid of their respective lots, shall be entitled to the right of pre-emption as aforesaid; and upon the failure of any, or all said occupants to do so, the said lot or lots to the extent of such failure, shall be sold as other lots in said town: *Provided,* That the said occupants may at any time before said lots are sold, pay the assessed value and thereby save their right of pre-emption aforesaid: *And provided further,* That the said commissioners aforesaid shall, before they enter upon their duties as such, be sworn faithfully to discharge their duties according to the provisions of this act; and they shall receive a compensation for their services to be prescribed by the legislature of said Territory: *Provided,* That the whole compensation to said commissioners shall not exceed the sum of one hundred and twenty dollars.

Commissioners to be appointed to value occupied lots, &c.

Proviso.

Proviso.

No. 619.—AN ACT to authorize the selection of certain school lands in the Territories of Florida, Iowa, and Wisconsin.

June 15, 1844.
Vol. 5, p. 666.

[See FLORIDA, No. 1668.]

No. 620.—AN ACT to authorize the President of the United States to sell the reserved mineral lands in the States of Illinois and Arkansas, and Territories of Wisconsin and Iowa, supposed to contain lead ore.

July 11, 1846.
Vol. 9, p. 37.

[See ILLINOIS, No. 421.]

No. 621.—AN ACT to repeal an act entitled "An act for the relief of the Stockbridge tribe of Indians in the Territory of Wisconsin," approved March third, eighteen hundred and forty-three, and for other purposes.

Aug. 6, 1846.
Vol. 9, p. 55.

Be it enacted, &c., That the act entitled "An act for the relief of the Stockbridge tribe of Indians in the Territory of Wisconsin," approved March third, eighteen hundred and forty-three, be and the same is hereby repealed; and the said Stockbridge tribe or nation of Indians is restored to their ancient form of government, with all powers, rights, and privileges, held and exercised by them under their customs and usages, as fully and completely as though the above-recited act had never passed.

Repeal of act of 1843.

Restored to ancient form of government.

SEC. 2. *And be it further enacted,* That the sub-agent of Indian affairs at Green Bay, under the direction of the governor of Wisconsin, who shall be a commissioner for this purpose, shall be required to open a book for the enrolment of the names of such persons of the Stockbridge tribe of Indians as shall desire to become and remain citizens of the United States, immediately upon the passage of this law; and three months shall be allowed after the opening of said books for the enrolment, within which time it shall be the duty of all desiring citizenship to come forward in person and file their application. After the expiration of the three months, the said sub-agent shall divide the said township of land now held by the Stockbridges on the Winnebago Lake into two districts, to be known and designated as the Indian district and the Citizen district, according to the strength and numbers of their respective parties, and the laws and usages in said tribe. The lands in the Indian district are to remain and to be held in common; those in the Citizen district are to be divided; and to each Indian who becomes a citizen the said sub-agent shall assign, by distinct metes and bounds, his ratable proportion of land. And, after the division and allotment are completed, it shall be the duty of the said sub-agent to make out three copies of the divisions thus made, one of which he shall file with the clerk of the district court of the county in which the Citizen district land may be situated; one other copy he shall file in the land office at Green Bay, in Wisconsin Territory; and the other shall be returned to the Secretary of War. And, upon the receipt of the said return by the Secretary of War, patents may be issued to the individual reservees

Sub-agent at Green Bay to enrol the names of Indians who desire to become citizens of United States.

Sub-agent to divide the land held by Stockbridges into two districts

How the lands are to be held.

Sub-agents to make out three copies of the divisions made.

Patents to issue to those res-

arvees who be-
come citizens.

Indians becom-
ing citizens to
forfeit annuity.

\$5,000 to be paid
them for that
sum paid by them
to the Winneba-
goes and Meno-
monies.

Appropriation.
Proviso.

who become citizens, upon the receipt of which a title in fee-simple to the lot of land shall vest in the patentee; and all transfers and assignments of the land made previous to the issuance of the patent shall be null and void: *Provided, however,* That those Indians who become citizens shall forfeit all right to receive any portion of the annuity which may now be or may become due the nation of Stockbridges, by virtue of any treaty heretofore entered into by this Government with said Stockbridges.

SEC. 3. *And be it further enacted,* That, in consideration of the moneys paid by said Stockbridge nation of Indians to the Winnebagoes and Menomonies in the years eighteen hundred and twenty-one and eighteen hundred and twenty-two, and all other claims, the sum of five thousand dollars be paid to said tribe of Indians by the Secretary of War; and for this purpose, the said sum of five thousand dollars be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated: *Provided,* That nothing in this act contained shall be construed to impair any claim which said nation may have upon the Delaware nation to a share of the lands assigned to them west of the Missouri River. (a)

(a) See Nos. 617, 663, 664, 669, 674, 679, 693.

Aug. 6, 1846.
Vol. 9, p. 56.

The people of
Wisconsin au-
thorized to form
a constitution
and State govern-
ment.

Boundaries.

No. 622.—AN ACT to enable the people of Wisconsin Territory to form a constitution and State government, and for the admission of such State into the Union.

Be it enacted, &c., That the people of the Territory of Wisconsin be, and they are hereby, authorized to form a constitution and State government, for the purpose of being admitted into the Union on an equal footing with the original States in all respects whatsoever, by the name of the State of Wisconsin, with the following boundaries, to wit: Beginning at the northeast corner of the State of Illinois—that is to say, at a point in the centre of Lake Michigan where the line of forty-two degrees and thirty minutes of north latitude crosses the same; thence running with the boundary line of the State of Michigan, through Lake Michigan, Green Bay, to the mouth of the Menomonie River; thence up the channel of said river to the Brulé River; thence up said last-mentioned river to Lake Brulé; thence along the southern shore of Lake Brulé in a direct line to the centre of the channel between Middle and South Islands, in the Lake of the Desert; thence in a direct line to the headwaters of the Montreal River, as marked upon the survey made by Captain Cramm; thence down the main channel of the Montreal River to the middle of Lake Superior; thence through the centre of Lake Superior to the mouth of the St. Louis River; thence up the main channel of said river to the first rapids in the same, above the Indian village, according to Nicollet's map; thence due south to the main branch of the river St. Croix; thence down the main channel of said river to the Mississippi; thence down the centre of the main channel of that river to the northwest corner of the State of Illinois; thence due east with the northern boundary of the State of Illinois to the place of beginning, as established by "An act to enable the people of the Illinois Territory to form a constitution and State government, and for the admission of such State into the Union on an equal footing with the original States," approved April eighteen, eighteen hundred and eighteen.

Jurisdiction of
islands in Brulé
and Menomonie
rivers.

Assent of Mich-
igan required.

To have con-
current jurisdic-
tion on the Mis-

SEC. 2. *And be it further enacted,* That, to prevent all disputes in reference to the jurisdiction of islands in the said Brulé and Menomonie rivers, the line be so run as to include within the jurisdiction of Michigan all the islands in the Brulé and Menomonie rivers, (to the extent in which said rivers are adopted as a boundary,) down to, and inclusive of, the Quinnesec Falls of the Menomonie; and from thence the line shall be so run as to include within the jurisdiction of Wisconsin all the islands in the Menomonie River, from the falls aforesaid down to the junction of said river with Green Bay: *Provided,* That the adjustment of boundary, as fixed in this act, between Wisconsin and Michigan shall not be binding on Congress, unless the same shall be ratified by the State of Michigan on or before the first day of June, one thousand eight hundred and forty-eight.

SEC. 3. *And be it further enacted,* That the said State of Wisconsin shall have concurrent jurisdiction on the Mississippi, and all other rivers and waters bordering on the said State of Wisconsin, so far as the same

- shall form a common boundary to said State and any other State or States now or hereafter to be formed or bounded by the same; and said river and waters, and the navigable waters leading into the same, shall be common highways, and forever free, as well to the inhabitants of said State as to all other citizens of the United States, without any tax, duty, impost, or toll, therefor.

SEC. 4. *And be it further enacted*, That from and after the admission of the State of Wisconsin into the Union, in pursuance of this act, the laws of the United States which are not locally inapplicable shall have the same force and effect within the State of Wisconsin as elsewhere within the United States. (a)

First. That section numbered sixteen, in every township of the public lands in said State, and where such section has been sold or otherwise disposed of, other lands equivalent thereto, and as contiguous as may be, shall be granted to said State for the use of schools. (b)

Second. That the seventy-two sections or two entire townships of land set apart and reserved for the use and support of a university by an act of Congress, approved on the twelfth day of June, eighteen hundred and thirty-eight, entitled "An act concerning a seminary of learning in the Territory of Wisconsin," are hereby granted and conveyed to the State, to be appropriated solely to the use and support of such university, in such manner as the legislature may prescribe. (c)

Third. That ten entire sections of land, to be selected and located under the direction of the legislature, in legal divisions of not less than one quarter-section, from any of the unappropriated lands belonging to the United States within the said State, are hereby granted to the said State, for the purpose of completing the public buildings of the said State, or for the erection of others at the seat of government, under the direction of the legislature thereof. (d)

Fourth. That all salt springs within said State, not exceeding twelve in number, with six sections of land adjoining, or as contiguous as may be to each, shall be granted to the State for its use; the same to be selected by the legislature thereof, within one year after the admission of said State; and when so selected, to be used or disposed of on such terms, conditions, and regulations, as the legislature shall direct: *Provided*, That no salt spring or land the right whereof is now vested in any individual or individuals, or which may hereafter be confirmed or adjudged to any individual or individuals, shall, by this section, be granted to said State. (e)

Fifth. That five per cent. of the net proceeds of sales of all public lands lying within the said State, which have been or shall be sold by Congress, from and after the admission of said State into the Union, after deducting all the expenses incident to the same, shall be paid to the said State, for the purpose of making public roads and canals in the same, as the legislature shall direct: (f) *Provided*, That the foregoing propositions herein offered are on the condition that the said convention which shall form the constitution of said State shall provide, by a clause in said constitution, or an ordinance, irrevocable without the consent of the United States, that said State shall never interfere with the primary disposal of the soil within the same by the United States, nor with any regulations Congress may find necessary for securing the title in such soil to bona-fide purchasers thereof; and that no tax shall be imposed on lands the property of the United States; and that in no case shall non-resident proprietors be taxed higher than residents. (g)

(a) See Nos. 378, 394, 487, 491, 498, 499, 597, 600, 602, 603, 606, 608, 613, 624, 626, 629.

(b) See Nos. 619, 626, 629.

(c) See Nos. 609, 626, 629, 640.

(d) See Nos. 626, 629.

(e) See Nos. 626, 629, 634, 640.

(f) See Nos. 626, 629, 661.

(g) See No. 600.

NO. 623.—AN ACT to grant a certain quantity of land to aid in the improvement of the Fox and Wisconsin rivers, and to connect the same by a canal, in the Territory of Wisconsin.

Aug. 8, 1846.
Vol. 9, p. 83.

Be it enacted, &c., That there be, and hereby is, granted to the State of Wisconsin, on the admission of such State into the Union, for the purpose of improving the navigation of the Fox and Wisconsin rivers, in the Territory of Wisconsin, and of constructing the canal to unite

Grant of land to aid in improving the Fox and Wisconsin rivers.

the said rivers, at or near the Portage, a quantity of land, equal to one half of three sections in width, on each side of the said Fox River, and the lakes through which it passes, from its mouth to the point where the Portage canal shall enter the same, and on each side of said canal from one stream to the other, reserving the alternate sections to the United States, to be selected under the direction of the governor of said State, and such selection to be approved by the President of the United States. The said rivers, when improved, and the said canal, when finished, shall be and forever remain a public highway for the use of the Government of the United States, free from any toll or other charge whatever for the transportation of the mails, or for any property of the United States, or persons in their service passing upon or along the same: *Provided*, The said alternate sections, reserved to the United States, shall not be sold at a less rate than two dollars and fifty cents the acre: *Provided, also*, That no preëptive claim to the lands so reserved shall give the occupant, or any other person claiming through or under him, a right to said lands at any price less than the price fixed in this act, at the time of the settlement on said lands.

United States to use said rivers and canal free from toll. **Price of lands.** **Pre-emption claims.** **Lands to become the property of Wisconsin.** **The price of the land to be not less than \$1.25 per acre.** **Limitation on quantities to be sold.** **Title of purchasers under this act shall be valid.**

SEC. 2. *And be it further enacted*, That as soon as the Territory of Wisconsin shall be admitted as a State into the Union, all the lands granted by this act shall be and become the property of said State for the purpose contemplated in this act, and no other: *Provided*, That the legislature of said State shall agree to accept said grant upon the terms specified in this act; and shall have power to fix the price at which said lands shall be sold, not less than one dollar and twenty-five cents the acre; and to adopt such kind and plan of improvement on said route as the said legislature shall from time to time determine for the best interest of said State. *Provided also*, That the lands hereby granted shall not be conveyed or disposed of by said State, except as said improvements shall progress: that is, the said State may sell so much of said lands as shall produce the sum of twenty thousand dollars, and then the sales shall cease until the governor of said State shall certify the fact to the President of the United States, that one-half of said sum has been expended upon said improvements, when the said State may sell and dispose of a quantity of said lands sufficient to reimburse the amount expended; and thus the sales shall progress as the proceeds thereof shall be expended, and the fact of such expenditure certified in the manner herein mentioned.

SEC. 3. *And be it further enacted*, That the said improvement shall be commenced within three years after the said State shall be admitted into the Union, and completed within twenty years, or the United States shall be entitled to receive the amount for which any of said lands may have been sold by said State: *Provided*, That the title of purchasers under the sales made by the State in pursuance of this act shall be valid. (a)

(a) See Nos. 629, 631, 639, 643, 650, 671.

Aug. 10, 1846.
Vol. 9, p. 85.

No. 624.—AN ACT making appropriations for the civil and diplomatic expenses of Government, for the year ending the thirtieth day of June, eighteen hundred and forty-seven, and for other purposes.

Somuch of line between Michigan and Wisconsin as lies between the sources of Brulé and Montreal rivers, to be surveyed.

SEC. 4. *And be it further enacted*, That the surveyor-general northwest of the Ohio, under the direction of the President, be, and hereby is, required to cause to be surveyed, marked, and designated, so much of the line between Michigan and Wisconsin as lies between the source of Brulé River and the source of Montreal River, as defined by the "Act to enable the people of Wisconsin Territory to form a constitution and State government, and for the admission of such State into the Union;" and the expense of such survey shall be paid, upon the certificate of the said surveyor-general, out of any money in the Treasury not otherwise appropriated, not exceeding one thousand dollars. (a)

(a) See Nos. 378, 394, 487, 491, 498, 499, 597, 600, 602, 603, 606, 608, 613, 622, 636, 639.

No. 625.—AN ACT to grant a right of preëmption to Philip F. Dering and Robert H. Champion to a tract of mineral land.

Feb. 25, 1847.
Vol. 9, p. 686.

Be it enacted, &c., That there be, and hereby is, granted to Philip F. Dering and Robert H. Champion, of the county of Iowa, and Territory of Wisconsin, the right of preëmption to the northeast quarter, and east half of the northwest quarter, of section numbered twenty-six, in township numbered one north, of range numbered one east, of the fourth principal meridian, being the land now occupied by them under a lease from the United States as mineral land: *Provided*, That said Dering and Champion shall make full payment for the same at the proper land office within six months after the passage of this act: *And provided, further*, That nothing herein contained shall be so construed as to affect the lawful claims of any other person or persons to the same, by virtue of existing laws.

The right of pre-emption to certain lands granted to P. F. Dering and R. H. Champion.

Proviso as to payment.

Proviso.

No. 626.—AN ACT for the admission of the State of Wisconsin into the Union.

March 3, 1847.
Vol. 9, p. 178.

Whereas the people of the Territory of Wisconsin did, on the sixteenth day of December, eighteen hundred and forty-six, by a convention of delegates called and assembled for that purpose, form for themselves a constitution and State government, which said constitution is republican; and said convention having asked the admission of said Territory into the Union as a State, on an equal footing with the original States—

Preamble.

Be it enacted, &c., That the State of Wisconsin be, and the same is hereby, declared to be, one of the United States of America, and is hereby admitted into the Union on an equal footing with the original States, in all respects whatever.

Wisconsin admitted into the Union.

SEC. 2. *And be it further enacted*, That the assent of Congress is hereby given to the change of boundary proposed in the first article of said constitution, to wit: Leaving the boundary line prescribed in the act of Congress entitled "An act to enable the people of Wisconsin Territory to form a constitution and State government, and for the admission of such State into the Union," at the first rapids in the river St. Louis, thence in a direct line southwardly to a point fifteen miles east of the most easterly point in Lake St. Croix, thence due south to the main channel of the Mississippi River or Lake Pepin, thence down the said main channel, as prescribed in said act. (a)

Change of boundary, &c.

SEC. 3. *And be it further enacted*, That the assent of Congress is hereby given to the resolutions adopted by said convention and appended to said constitution, and the acts of Congress referred to in said resolutions are hereby amended so that the lands thereby granted and the proceeds thereof, and the five per centum of the net proceeds of the public lands, may be held and disposed of by said State, in the manner and for the purposes recommended by said convention: (b) *Provided, however*, That the liabilities incurred by the Territorial government of Wisconsin, under the act entitled "An act to grant a quantity of land to the Territory of Wisconsin, for the purpose of aiding in opening a canal to connect the waters of Lake Michigan with those of Rock River," shall be paid and discharged by said State: (c) *And provided, further*, That the even-numbered sections along the route of said proposed canal shall be brought into market, and sold at the same minimum price, and subject to the same rights of preëmption to all the settlers thereon, at the passage of this act, as other public lands of the United States. (d)

Assent of Congress to resolutions of convention relative to grants of lands, and the 5 per cent. fund.

Proviso.

Price of public lands.

SEC. 4. *And be it further enacted*, That it is made and declared to be a fundamental condition of the admission of said State of Wisconsin into the Union, that the constitution adopted at Madison, on the sixteenth day of December, in the year one thousand eight hundred and forty-six, shall be assented to by the qualified electors, in the manner and at the times prescribed in the ninth section of the twentieth article of said constitution. And as soon as such assent shall be given, the President of the United States shall announce the same by proclamation; and therefrom, and without any further proceedings on the part of Congress, the admission of said State of Wisconsin into the Union, on an equal

Assent to a certain constitution required as a condition of admission.

President to make proclamation.

Footage in all respects whatever with the original States, shall be considered as complete.

(a) See Nos. 378, 394, 487, 491, 498, 499, 597, 600, 602, 603, 606, 608, 613, 622, 624, 629.

(b) See Nos. 609, 619, 622, 629, 634, 640, 661.

(c) See Nos. 610, 629, 661.

(d) See Nos. 389, 599, 601, 610, 616, 627, 629, 630, 635, 644, 649, 650, 654, 656, 659, 663, 667, 679, 680, 686, 694.

March 3, 1847.
Vol. 9, p. 179.

No. 627.—AN ACT to create an additional land district in the Territory of Wisconsin, and for other purposes.

Chippewa land district created.

Boundary.

Land office to be established.

Geological examination of lands in said district to be made.

Mineral and other lands to be exposed to sale.

Sections 16, &c., to be reserved.

Pre-emption right to actual occupants of mines.

Proof to be made.

Appeals may be made to Secretary of Treasury.

Joint occupation.

How mineral lands shall be offered for sale.

Occupied lands to be withheld.

Be it enacted, &c., That all that portion of the public lands lying within the Territory of Wisconsin, north and west of the following boundary, to wit: commencing at the Mississippi River on the line between townships twenty-two and twenty-three north, running thence east along said line to the fourth principal meridian, thence north along said meridian line to the line dividing townships twenty-nine and thirty, thence east along said township line to the Wisconsin River, thence up the main channel of said river to the boundary line between the State of Michigan and the Territory of Wisconsin, shall form a land district, to be called the Chippewa land district; and, for the sale of the lands in said district, a land office shall be established at such place therein as the President of the United States may select. (a)

SEC. 2. *And be it further enacted,* That the Secretary of the Treasury shall cause a geological examination and survey of the lands embraced in said district to be made and reported to the Commissioner of the General Land Office. And the President is hereby authorized to cause such of said lands as may contain copper, lead, or other valuable ores, to be exposed to sale, giving six months' notice of the times and places of sales in such newspapers of general circulation in the several States as he may deem expedient, with a brief description of the lands to be offered; showing the number and localities of the mines known, the probability of discovering others, the quality of the ores, the facilities of working the mines, and the means and expense of transporting their products to the principal markets in the United States. And all the lands embraced in said district, not reported as aforesaid, shall be sold in the same manner as other lands under the laws now in force for the sale of the public lands, excepting and reserving from such sales section sixteen in each township for the use of schools, and such reservations as the President shall deem necessary for public uses. (b)

SEC. 3. *And be it further enacted,* That every person or persons who shall be in possession, by actual occupancy, of a mine or mines, actually discovered previous to the passage of this act, and who shall pay the same rents as those who hold under leases from the Secretary of War, and which rents accruing from such occupants and lessees shall be paid and delivered to such officer of the Government as the Secretary of the Treasury shall direct, shall be entitled to purchase the lands on which the same is or are situated at any time prior to the day of sale fixed by the President, in legal subdivisions, not exceeding in the aggregate one hundred and sixty acres, to include such mine or mines, paying to the United States therefor at the rate of five dollars per acre: *Provided,* That, prior to any entry being made under the provisions of this section, proof of possession and occupancy as aforesaid of the mine or mines claimed shall be made to the register and receiver of the land district, together with the evidence of the payment of all rents due the United States, agreeably to such rules as may be prescribed by the Secretary of the Treasury for that purpose, which register and receiver shall each be entitled to receive one dollar for his services therein: *Provided,* That an appeal from the decision of the register and receiver to the Secretary of the Treasury may be had, under such regulations as the said Secretary may prescribe. And if two or more persons are in possession of the same quarter-section, the first occupant shall be entitled to a preference, unless the same can be so divided by legal subdivisions as to give to each the discovery claimed by him.

SEC. 4. *And be it further enacted,* That, the said mineral lands shall be offered for sale in subdivisions of quarter quarter-sections, and no bid shall be received at a less rate than five dollars per acre; and if such lands shall not be sold at public sale, they shall be subject to entry at private sale at that price: *Provided,* That no legal division or subdivision of any of said lands, upon which there may be an outstanding

lease or leases from the Secretary of War unexpired or undetermined, and which is actually occupied for mining purposes, and the occupants of which have complied with all the requisites of such lease or leases, and continued to perform the same, shall be sold until after the determination of such lease or leases by efflux of time, voluntary surrender, or other legal extinguishment thereof, except in such cases as are provided for in the third section of this act; and the lessees, respectively, shall be entitled to the privilege secured by said section upon the voluntary surrender of the lease or leases held by them.

SEC. 5. *And be it further enacted*, That the management and control of the mineral lands shall be transferred from the War Department, and placed under the jurisdiction and control of the Treasury Department, and all books, maps, papers, instruments, and other property procured to be used and employed in the management, survey, exploring, or conducting of said mineral lands by the War Department, shall be delivered over and made subject to the disposition of the Secretary of the Treasury. (c)

SEC. 6. *And be it further enacted*, That the President, by and with the advice and consent of the Senate, so soon as a sufficient number of townships are surveyed, and returns thereof made to the General Land Office, to authorize the commencement of the sales in said district, shall appoint one register and one receiver for the land office in said district, who shall reside at the place designated by the President for the land office, receive such compensation, give security, and discharge all duties pertaining to such office, as are prescribed by law. (b)

(a) See Nos. 389, 599, 601, 630, 636, 642, 647, 663.

(b) See Nos. 389, 599, 601, 610, 616, 626, 629, 630, 635, 644, 649, 650, 654, 656, 659, 663, 667, 679, 680, 686, 694.

(c) See Nos. 421, 518, 577, 620, 633, 638.

No. 628.—AN ACT for the relief of the citizens of Beetown, in the Territory of Wisconsin.

March 3, 1847.
Vol. 9, p. 692.

Be it enacted, &c., That the citizens of the town of Beetown, in the Territory of Wisconsin, shall be entitled to enter, at the proper land office, the northeast quarter, and the northeast quarter of the southeast quarter, of section thirty, in township number four north, in range four west, in said Territory, at the minimum price, for the use and benefit of the occupants thereof, according to their respective interests: *Provided*, That such entry may be made in the name of the corporate authorities of said town; and if said town shall not be incorporated, in the name of the district judge of the district in which such town is situated, in trust for the use and benefit of the citizens of said town, the execution of which trust as to the disposal of the lots in such town, and the proceeds of the sales thereof, to be conducted under such rules and regulations as may be prescribed by the legislature of the Territory or State of Wisconsin.

Citizens of Beetown authorized to enter a certain quantity of land.

Entry, how made.

No. 629.—AN ACT for the admission of the State of Wisconsin into the Union.

May 29, 1848.
Vol. 9, p. 233.

Whereas the people of the Territory of Wisconsin did, on the first day of February, eighteen hundred and forty-eight, by a convention of delegates, called and assembled for that purpose, form for themselves a constitution and State government, which said constitution is republican, and said convention having asked the admission of said Territory into the Union as a State, on an equal footing with the original States:

Preamble.

Be it enacted, &c., That the State of Wisconsin be, and is hereby, admitted to be one of the United States of America, and is hereby admitted into the Union on an equal footing with the original States, in all respects whatever, with the boundary prescribed by the act of Congress, approved August sixth, eighteen hundred and forty-six, entitled "An act to enable the people of Wisconsin Territory to form a constitution and State government, and for the admission of such State into the Union." (a)

State of Wisconsin admitted into the Union.

Boundaries.

SEC. 2. *And be it further enacted*, That the assent of Congress is hereby given to the first, second, fourth and fifth resolutions adopted by said convention, and appended to said constitution; and the acts of certain

Assent of Congress given to certain resolutions.

tions of the convention of said State held for forming a constitution, and certain acts of Congress therein referred to amended.

Proviso as to pre-emption rights.

Certain liabilities to be assumed by Wisconsin,

Purchasers of certain tracts at \$2.50 per acre to receive certificates of the amount of excess paid over \$1.25 per acre, which shall be received in payment of the public lands of the United States.

Congress referred to in the said resolutions are hereby amended, so that the lands granted by the provisions of the several acts referred to in the said first and fourth resolutions, and the proceeds of said lands, and the five per centum of the net proceeds of the public lands therein-mentioned, shall be held and disposed of by said State, in the manner and for the purposes recommended by said convention (b); and so that, also, the lands reserved to the United States by the provisions of the act entitled "An act to grant a quantity of land to aid in the improvement of the Fox and Wisconsin rivers, and to connect the same by a canal in the Territory of Wisconsin;" (c) and, also, the even numbered sections reserved by the provisions of the act entitled "An act to grant a quantity of land to the Territory of Wisconsin, for the purpose of aiding in opening a canal to connect the waters of Lake Michigan with those of Rock River," (d) shall be offered for sale at the same minimum price, and subject to the same rights of preëmption, as other public lands of the United States: (e) *Provided, however,* That no person shall be entitled to a preëmption by reason of the settlement and cultivation of any quarter-section or other subdivision of said even-numbered sections, which tract, before the commencement of such settlement, shall have been claimed by any other person cultivating and improving the same in good faith, and which shall have continued to be claimed, cultivated, and improved in like good faith by such person, his representatives or assigns, until the sale of said tract, and of which said prior claim, cultivation, and improvement, the person so claiming pre-emption shall have had notice at the time of his entry and settlement; neither shall any preëmption be allowed to any tract, to the injury of any person, or of the representatives or assigns of any person, claiming and occupying the same or any part thereof in good faith, in his or her right, at the passage of this act, and owning valuable cultivation or improvements thereon, which cultivation or improvements shall have been assigned by the person so claiming preëmption, or, if commenced subsequently to the entry and settlement of such person, shall have been made with his consent or acquiescence. *And provided further,* That the liabilities incurred by the Territorial government of Wisconsin, under the act entitled "An act to grant a quantity of land to the Territory of Wisconsin, for the purpose of aiding in opening a canal to connect the waters of Lake Michigan with those of Rock River," hereinbefore referred to, shall be paid and discharged by the State of Wisconsin.

SEC. 3. *And be it further enacted,* That the purchasers of any tract of the said even-numbered sections mentioned in the preceding section, and sold since the reservation thereof at the minimum price of two dollars and fifty cents per acre, shall be entitled to receive from the Commissioner of the General Land Office a certificate of the quantity of land so purchased, and of the amount of the excess paid therefor over and above the value of said land, at the rate of one dollar and twenty-five cents per acre; which certificate, to the amount of such excess, shall be receivable from the holder thereof, or his assigns, in like manner as so much money, in payment of the public lands of the United States. That, in the event of the death of any such purchaser before the issuing of such certificate, the same shall be issued in favor of the lawful representatives of such purchaser.

(a) See Nos. 378, 394, 427, 491, 492, 499, 597, 600, 602, 603, 606, 608, 613, 622, 624, 626.

(b) See Nos. 609, 619, 622, 626, 634, 640, 661.

(c) See Nos. 623, 631, 639, 643, 650, 671.

(d) See Nos. 610, 626, 661.

(e) See Nos. 389, 599, 601, 610, 616, 626, 627, 630, 635, 644, 649, 650, 654, 656, 659, 663, 667, 679, 680, 686, 694.

March 2, 1849.
Vol. 9, p. 351.

Land office at Falls of St. Croix, Wisconsin, to be removed to Stillwater.

No. 630.—AN ACT for changing the location of the land office in the Chippewa land district, and establishing an additional land district in the State of Wisconsin.

Be it enacted, &c., That from and after the thirtieth June next, the land office for the sale of the public lands in the Chippewa land district shall be removed from the Falls of St. Croix, to Stillwater, in the county of St. Croix, in the proposed Territory of Minnesota; and sales of the public lands in said district shall thereafter be held at Stillwater, in the county aforesaid.

SEC. 2. *And be it further enacted,* That for the sale of the public lands in the Territory (a) of Wisconsin, an additional land office and land district are hereby created, comprising all the lands not included within the districts of land subject to sale at Green Bay, Milwaukee, or Mineral Point, which shall be called the western land district, (b)

Additional land office and land district created.

SEC. 3. *And be it further enacted,* That the President be, and he is hereby, authorized to appoint, by and with the advice and consent of the Senate, a register and a receiver of the public moneys for the said district, who shall respectively be required to reside at the site of said office, and who shall have the same powers, perform the same duties, and be entitled to the same compensation as are, or may be, prescribed by law in relation to other land officers of the United States.

Register and receiver to be appointed; their powers, duties, and compensations.

SEC. 4. *And be it further enacted,* That the President is authorized to cause the public lands in the said district, with the exemption of sections numbered sixteen, in each township, reserved for the use of schools, or such other lands as may be selected by law in lieu thereof, and of such other tracts as he may select for military or other purposes, to be exposed to sale in the same manner, and upon the same terms and conditions, as the other public lands of the United States. (c)

Lands in said district to be exposed to sale.

SEC. 5. *And be it further enacted,* That the President is hereby authorized to designate the site at which the said office shall be established, and to remove the same to any other place within said district, whenever, in his opinion, it may be deemed expedient.

President to designate the site of land office.

(a) See No. 632.

(b) See Nos. 389, 599, 601, 627, 636, 642, 647, 663.

(c) See Nos. 389, 599, 601, 610, 616, 626, 627, 629, 635, 644, 649, 650, 654, 656, 659, 663, 667, 679, 680, 686, 694.

No. 631.—AN ACT in relation to the Fox and Wisconsin river reservation, in the State of Wisconsin.

March 2, 1849.
Vol. 9, p. 352.

Be it enacted, &c., That all land entries made in the Green Bay land district, in the State of Wisconsin, upon the odd-numbered sections of the Fox and Wisconsin river reservation, in said State, subsequent to the passage of an act entitled "An act to grant a certain quantity of land to aid in the improvement of the Fox and Wisconsin rivers, and connect the same by canal, in the Territory of Wisconsin," approved on the eighth day of August, eighteen hundred and forty-six, be, and the same are hereby, declared to be good and valid as though said act had not been passed: *Provided, nevertheless,* That the governor of said State is hereby authorized to select the same quantity of other lands in lieu thereof; subject, however, to the approval of the President of the United States. (a)

Certain entries of land in the Green Bay land district confirmed.

Proviso.

SEC. 2. *And be it further enacted,* That all similar entries made upon the even-numbered sections of said reservations be also declared to be as good and valid as though said reservation had not been made.

Certain other entries confirmed.

(a) See Nos. 623, 629, 639, 643, 650, 671.

No. 632.—A RESOLUTION to fix the meaning of the second section of an act for changing the location of the land office in the Chippewa land district, and establishing an additional land district in the State of Wisconsin.

March 3, 1849.
Vol. 9, p. 420.

Resolved, &c., That the word "Territory," in the second section of the act entitled "An act for changing the location of the land office in the Chippewa land district, and establishing an additional land district in the State of Wisconsin," approved at the present session of Congress, be construed to be and mean "State." (a)

The word "Territory," in the act herein referred to, to be construed so as to mean "State."

(a) See No. 630.

No. 633.—AN ACT to reduce the minimum price of the mineral lands in the Lake Superior district in Michigan, and in the Chippewa district in Wisconsin.

Sept. 26, 1850.
Vol. 9, p. 472.

[See MICHIGAN, No. 518.]

May 4, 1852.
Vol. 10, p. 5.

No. 634.—AN ACT to extend the time for selecting lands granted to the State of Wisconsin for saline purposes.

Time for selecting Wisconsin saline lands extended to Jan. 1, 1854.

Be it enacted, &c., That the time for selecting lands for saline purposes, granted to the State of Wisconsin by virtue of the fourth subdivision of the seventh section of an act entitled "An act to enable the people of Wisconsin Territory to form a constitution and State government, and for the admission of such State into the Union," approved the sixth day of August, in the year eighteen hundred and forty-six, be, and the same is hereby extended to the first day of January, in the year eighteen hundred and fifty-four; and the land so selected previous to the day last mentioned, shall be granted to said State for the same purposes, on the same conditions, and with like effect, as if the same had been selected and confirmed within the time limited by the act above mentioned. (a)

(a) See Nos. 622, 626, 629, 640.

May 27, 1852.
Vol. 10, p. 7.

No. 635.—AN ACT to grant to certain settlers on the Menomonee purchase, north of Fox River, in the State of Wisconsin, the right of preëmption.

Pre-emption rights in Menomonee purchase under treaty of October 18, 1848.

Be it enacted, &c., That every person being the head of a family, widow, or single man over the age of twenty-one years, who, on the first day of June, eighteen hundred and fifty-two, shall be an actual settler and housekeeper, and have made other improvements, on any tract within the body of lands ceded to the United States by the treaty of eighteenth October, eighteen hundred and forty-eight, with the Menomonee tribe of Indians, is hereby entitled to the same right of preëmption, and upon the same terms and conditions as is prescribed by the act entitled "An act to appropriate the proceeds of the sales of the public lands, and to grant preëmption rights," approved fourth September, eighteen hundred and forty-one: *Provided*, That where there shall be more than one such settler on any quarter-section, fractional quarter-section, or fraction of a section less than one hundred and sixty acres, the rights of such settlers, as to the land settled on, shall be the same as those prescribed by the eighth section of the act entitled "An act to authorize the investigation of certain alleged frauds under the preëmption laws, and for other purposes," approved third March, eighteen hundred and forty-three, for settlers therein provided for: *And provided further*, That the preëmption rights provided for in this act shall attach only to such land as shall become subject to sale at the minimum price of one dollar and twenty-five cents an acre. (a)

Proviso.

Proviso.

(a) See Nos. 339, 599, 601, 610, 616, 626, 627, 629, 630, 644, 649, 650, 654, 656, 659, 663, 667, 679, 680, 686, 694.

July 30, 1852.
Vol. 10, p. 25.

No. 636.—AN ACT to establish additional land districts in the State of Wisconsin.

Stevens' Point land district constituted in Wisconsin.

Be it enacted, &c., That so much of the public lands of the United States, in the State of Wisconsin, as lies within the following boundaries, to wit:—Commencing at the southwest corner of township fifteen, north of range two, east of the fourth principal meridian, thence running due east to the southeast corner of township fifteen, north of range eleven, east of the fourth principal meridian, thence north along said range line to the north line of the State of Wisconsin, thence westerly along said north line to the line between ranges one and two, east of the fourth principal meridian, thence south to the place of beginning, shall be formed into a new land district, to be called the Stevens Point land district, and for the sale of the public lands within the district hereby constituted, a land office shall be established at Stevens Point, on the Wisconsin River, as soon as the public convenience may require it.

Provisions for a land office at Stevens' Point.

La Crosse land district constituted in Wisconsin.

SEC. 2. *And be it further enacted*, That so much of the public lands of the United States, in the State of Wisconsin, as lies within the following boundaries, to wit:—Commencing at a point where the line between townships ten and eleven, north, touches the Mississippi River, thence due east to the fourth principal meridian, thence north to the line between townships fourteen and fifteen, north, thence east to the southeast corner of township fifteen, north of range one, east of the fourth principal meridian, thence north on the range line to the south line of township number thirty-one, north, thence west on the line between townships number thirty and thirty-one, to the Chippewa River, thence down said river to its junction with the Mississippi River, thence down the Mississippi River to the place of beginning, shall be formed into a

new land district, to be called the La Crosse land district, and for the sale of the public lands within the district hereby constituted, a land office shall be established at La Crosse, on the Mississippi River, as soon as the public conveniences may require it. Provision for a land office at La Crosse.

SEC. 3. *And be it further enacted*, That the President is hereby authorized to cause the removal of either of the offices created by this act, to any other place within said district, whenever, in his opinion, such removal may be deemed expedient. Said land offices may be removed by the President.

SEC. 4. *And be it further enacted*, That the President be, and he is hereby authorized to appoint, by and with the advice and consent of the Senate, a register and a receiver of public moneys for each of the said districts, who shall respectively be required to reside at the site of said office, and who shall have the same powers, perform the same duties, and be entitled to the same compensation as are or may be prescribed by law in relation to other land officers of the United States. And in case it shall be found necessary or expedient to establish said districts, or either of them, during the recess of Congress, the President shall be, and he is hereby authorized to appoint the necessary officers during such recess, and until the end of the next session of Congress: *Provided, however*, That this act shall not go into effect until at least six months after its passage. Provision for the appointment of officers for said districts. Act, when to take effect.

SEC. 5. *And be it further enacted*, That the Commissioner of the General Land Office shall cause to be transferred to the land offices hereby created, all such books, maps, records, field-notes, and plats, or transcripts thereof, relating to the surveys and entries of the public lands in the districts hereby created, as may be necessary for the sale of the public lands, in compliance with the provisions of this act. (a) Books, &c., to be transferred to the new land offices.

(a) See Nos. 389, 599, 601, 627, 630, 642, 647, 663.

No. 637.—AN ACT for the relief of John W. Quinney, a Stockbridge Indian.

Jan. 27, 1853.
Vol. 10, p. 746.

Be it enacted, &c., That in lieu of all the rights of John W. Quinney in the lands and annuities of the Stockbridge tribe of Indians, and in the annuities, money, or land to which said Indians now are or may hereafter be entitled under existing treaties, there shall be paid to the said John W. Quinney, out of the moneys now due and payable to the said Stockbridge tribe of Indians, the sum of one thousand dollars, or so much more or less than that sum as shall be declared to be just and proper by the chiefs and head men of said Stockbridge tribe; and there shall also be granted to the said John W. Quinney, in fee-simple, and to his heirs and assigns forever, the tract or parcel of land now in the possession and occupancy of the said John W. Quinney, in Stockbridge, in the State of Wisconsin, and bounded and described as follows, to wit: Bounded on the north by lot number thirty-three, recommended to be patented to Mr. Dinslow, in the Stockbridge treaty of November twenty-fourth, eighteen hundred and forty-eight, and the United States lot numbered seventy-four; south by lots numbered thirty-seven and seventy, recommended to be patented to Mr. John Dick; east by the military road (so called) passing through the town of Stockbridge, and west by the Winnebago Lake—containing three hundred and sixty acres of land, more or less; and it shall be the duty of the Commissioner of the General Land Office to cause the said piece of land to be surveyed, and to issue to the said John W. Quinney a patent therefor, in accordance with such survey. Payment to be made to John W. Quinney out of moneys due the Stockbridges. A parcel of land granted to him.

No. 638.—AN ACT to confirm to Hercules L. Donsman his title to farm-lot number thirty-two, adjoining the town of Prairie du Chien, in the State of Wisconsin.

Feb. 23, 1854.
Vol. 10, p. 774.

Be it enacted, &c., That the title of Hercules L. Donsman to farm-lot number thirty-two, adjoining the town of Prairie du Chien, in the State of Wisconsin, supposed to contain one hundred and thirty acres, more or less, be, and the same is hereby, confirmed, and that a patent shall issue therefor, as in other cases: *Provided*, That this is only to operate as a relinquishment on the part of the United States of her title to said land. (a) Hercules L. Donsman's farm-lot confirmed. Provision: operations of this act.

(a) See Nos. 464, 466, 593, 596, 645, 646, 652, 655, 670, 690.

August 3, 1854. **No. 639.**—AN ACT to authorize the State of Wisconsin to select the residue of the
Vol. 10, p. 345. lands to which she is entitled under the act of eighth of August, eighteen hundred and forty-six, for the improvement of the Fox and Wisconsin rivers.

Selection of the balance of land granted by act of 1846.

Be it enacted, &c., That the governor of the State of Wisconsin is hereby authorized to cause to be selected the balance of the land to which that State is entitled under the provisions of the act of the eighth of August, eighteen hundred and forty-six, granting land to aid the Territory of Wisconsin in the improvement of the Fox and Wisconsin rivers, and to connect the same by a canal, out of any of the unsold public lands in said State, subject to private entry at one dollar and twenty-five cents per acre, and not claimed by preëmption; the quantity to be ascertained upon the principles which governed the final adjustment of the grant to the State of Indiana for the Wabash and Erie Canal, under the provisions of the act of Congress approved the ninth of May, eighteen hundred and forty-eight. (a)

(a) See Nos. 623, 629, 631, 643, 650, 671.

Dec. 15, 1854.
Vol. 10, p. 597.

No. 640.—AN ACT to relinquish to the State of Wisconsin the lands reserved for salt springs therein.

Seventy-two sections may be selected in lieu of those granted by act of 1846.

Be it enacted, &c., That in lieu of the "twelve salt springs, with six sections of land adjoining to each," heretofore granted to the State of Wisconsin for its use by the fourth clause of the seventh section of the act entitled "An act to enable the people of Wisconsin Territory to form a constitution and State government, and for the admission of such State into the Union," approved the sixth day of August, in the year eighteen hundred and forty-six there be and hereby is granted to the said State of Wisconsin, (a) to be selected by the legislature of said State out of any public land subject to private entry, and to be sold in such manner as the legislature may direct, for the benefit and in aid of the university of said State, and for no other purpose whatever, seventy-two sections of land: *Provided,* That any selections of land heretofore made under the act entitled "An act to extend the time for selecting land granted to the State of Wisconsin for saline purposes," approved the fourth day of May, eighteen hundred and fifty-two, and which shall not have been sold by the United States, and is not legally claimed by preëmption, or otherwise, shall be, and hereby are granted and confirmed to said State for the use of the university of said State, as a part of the seventy-two sections hereby granted. (b)

(a) See Nos. 622, 626, 629, 634.

(b) See Nos. 609, 622, 626, 629.

Dec. 19, 1854.
Vol. 10, p. 598.

No. 641.—AN ACT to provide for the extinguishment of the title of the Chippewa Indians to the lands, owned and claimed by them in the Territory of Minnesota, and State of Wisconsin, and for their domestication and civilization.

[See MINNESOTA, No. 1846.]

Feb. 24, 1855.
Vol. 10, p. 615.

No. 642.—AN ACT to establish an additional land district in the State of Wisconsin.

Fond du Lac land district constituted in Wisconsin.

Be it enacted, &c., That all that part of the present Willow River land district, in the State of Wisconsin, lying north of the line dividing townships forty and forty-one, (or fourth correction line), be, and the same is hereby, created a land district, to be called the Fond du Lac district; the office for which shall be located at such place therein as the President may, from time to time, direct.

Register and receiver.

SEC. 2. *And be it further enacted,* That there shall be appointed by the President, by and with the advice and consent of the Senate, a register and a receiver for said district, who shall respectively be required to reside at the site of the office, be subject to the same laws, and entitled to the same compensation, as is, or may hereafter be, prescribed by law in relation to other land offices of the United States.

Sales to continue in old district till new one is in operation.

SEC. 3. *And be it further enacted,* That the sales shall continue at the Willow River district till the land officers for that district are notified that the officers for the district created by this act are prepared to enter on their duties; and in all cases hereafter the salaries of land officers shall commence only from the time they enter on the discharge of their duties. (a)

Salaries of land officers.

(a) See Nos. 389, 599, 601, 627, 630, 636, 647, 663.

No. 643.—A RESOLUTION explanatory of an act passed August third, eighteen hundred and fifty-four.

March 3, 1855.
Vol. 10, p. 724.

Resolved, &c., That it was the intention of the act of Congress, approved August third, eighteen hundred and fifty-four, and the same shall be construed, to give to Wisconsin, in aid of the improvement of the navigation of the Fox and Wisconsin rivers, a quantity of land, equal mile for mile of its improvement to that granted to Indiana, under the provisions of the act of Congress approved May the ninth, eighteen hundred and forty-eight. (a)

(a) See Nos. 623, 629, 631, 639, 650, 671.

Construction of act of 1854, respecting grant of land to Wisconsin.

No. 644.—AN ACT granting public lands to the State of Wisconsin to aid in the construction of railroads in said State.

June 3, 1856.
Vol. 11, p. 20.

Be it enacted, &c., That there be, and is hereby, granted to the State of Wisconsin for the purpose of aiding in the construction of a railroad from Madison, or Columbus, by the way of Portage City to the St. Croix River or Lake between townships twenty-five and thirty-one, and from thence to the west end of Lake Superior; and to Bayfield; and also from Fond du Lac on Lake Winnebago, northerly to the State line, every alternate section of land designated by odd numbers for six sections in width on each side of said roads respectively. But in case it shall appear that the United States have, when the lines or routes of said roads are definitely fixed, sold any sections or parts thereof granted as aforesaid, or that the right of pre-emption has attached to the same, then it shall be lawful for any agent or agents, to be appointed by the governor of said State, to select, subject to the approval of the Secretary of the Interior, from the lands of the United States nearest to the tier of sections above specified, so much land in alternate sections, or parts of sections, as shall be equal to such lands as the United States have sold or otherwise appropriated, or to which the right of pre-emption has attached, as aforesaid, which lands (thus selected in lieu of those sold and to which pre-emption has attached as aforesaid, together with the sections and parts of sections designated by odd numbers as aforesaid, and appropriated as aforesaid,) shall be held by the State of Wisconsin for the use and purpose aforesaid: *Provided*, That the lands to be so located shall in no case be further than fifteen miles from the line of the roads in each case, and selected for and on account of said roads: *Provided further*, That the lands hereby granted shall be exclusively applied in the construction of that road for which it was granted and selected, and shall be disposed of only as the work progresses, and the same shall be applied to no other purpose whatsoever: *And provided further*, That any and all lands reserved to the United States by any act of Congress for the purpose of aiding in any object of internal improvement, or in any manner for any purpose whatsoever, be, and the same are hereby, reserved to the United States from the operation of this act, except so far as it may be found necessary to locate the route of said railroads through such reserved lands, in which case the right of way only shall be granted, subject to the approval of the President of the United States. (a)

Grant of land to Wisconsin for railroads.

Grant in lieu of sections sold or pre-empted.

Grant, how applied.

Act not to apply to reservations, except as to right of way.

SEC. 2. *And be it further enacted*, That the sections and parts of sections of land which, by such grant, shall remain to the United States, within six miles on each side of said roads, shall not be sold for less than double the minimum price of the public lands when sold; nor shall any of said lands become subject to private entry until the same have been first offered at public sale at the increased price. (b)

Price of alternate sections doubled.

SEC. 3. *And be it further enacted*, That the said lands hereby granted to said State shall be subject to the disposal of the legislature thereof, for the purposes aforesaid, and no other; and the said railroads shall be and remain public highways for the use of the Government of the United States free from toll or other charge upon the transportation of property or troops of the United States.

Object of grant.

Railroads to be public highways for Government.

SEC. 4. *And be it further enacted*, That the lands hereby granted to said State shall be disposed of by said State only in manner following, that is to say: that a quantity of land not exceeding one hundred and twenty sections, and included within a continuous length of twenty miles of roads, respectively, may be sold; and when the governor of said State shall certify to the Secretary of the Interior that any twenty continuous miles of either of said roads are completed, then another like quantity of land hereby granted may be sold; and so from time to time until said

Lands, how disposed of.

roads are completed; and if said roads are not completed within ten years, no further sales shall be made, and the land unsold shall revert to the United States.

Transportation
of mails.

SEC. 5. *And be it further enacted*, That the United States mail shall be transported over said roads, under the direction of the Post-Office Department, at such price as Congress may, by law, direct: *Provided*, That until such price is fixed by law, the Postmaster-General shall have the power to determine the same.

(a) See Nos. 544, 654, 658, 659, 662, 666, 672, 675, 676, 681, 685, 689, 692, 695.

(b) See Nos. 389, 599, 601, 610, 616, 626, 627, 629, 630, 635, 649, 650, 654, 656, 659, 663, 667, 679, 680, 686, 694.

Aug. 11, 1856.
Vol. 11, p. 33.

NO. 645.—AN ACT to confirm to certain persons therein named, their titles to certain lots in Prairie du Chien, Wisconsin.

Certain farm
and village lots
at Prairie du
Chien confirmed.

Be it enacted, &c., That all those farm and village lots at Prairie du Chien, in the State of Wisconsin, as designated upon the plat of the private land claims at said place, in volume four of the public lands American State Papers, which plat was made in the year of our Lord eighteen hundred and twenty, by Isaac Lee, esquire, the agent appointed by the commissioners to adjust land titles at Green Bay and Prairie du Chien, which have not heretofore been confirmed and patented to the claimants, are hereby confirmed unto the several persons named upon said plat and the report of said Lee, and to their assigns and legal representatives, and village lots numbers six, ten, and eleven, in the main village, as designated upon said plat, are hereby confirmed to Hercules L. Dousman, and lot number nine, in said village, to Edward W. Pelton; and patents to the lots hereby confirmed, shall issue to such persons as now own, or as shall have the right to the same: *Provided*, That the confirmation hereby made shall not interfere with any heretofore made, and that such confirmation shall only operate as a relinquishment of title on the part of the United States, and shall in no manner interfere with any valid adverse right of any persons, if such exist, to the same land. (a)

This confirma-
tion to be only a
relinquishm ent
of title.

(a) See Nos. 464, 466, 595, 596, 638, 646, 652, 655, 670, 690.

Aug. 18, 1856.
Vol. 11, p. 469.

NO. 646.—AN ACT for the relief of Talbot C. Dousman.

Title of Talbot
C. Dousman to
certain land at
Green Bay, Wis.,
confirmed.

Be it enacted, &c., That the title of Talbot C. Dousman, the assignee of James Vieaux, to a certain tract of land at Green Bay, Wisconsin, confirmed to said Vieaux by the commissioners appointed under the act of Congress, approved February twenty-one, eighteen hundred and twenty-three, entitled "An act to revive and continue in force certain acts for the adjustment of land claims in the Territory of Michigan," and which is described as follows: commencing at low water-mark on Fox River, and running west eighty arpents, and bounded on the north by a certain tract occupied by the United States garrison, west by wild lands, south by a tract of land claimed by John Baptiste Longevine, senior, and east by Fox River, being five arpents in breadth, more or less, be, and the same is hereby confirmed to the said Talbot C. Dousman; and that the Commissioner of the General Land Office cause the said tract of land to be surveyed in the same manner as other private claims to lands at Green Bay have been surveyed; and that he be required to issue a patent thereon to and in the name of the said Talbot C. Dousman, as the assignee of the said James Vieaux, as in other cases, and according to the provisions of the fifth section of the said act of eighteen hundred and twenty-three. (a)

Survey.

Patent.

(a) See Nos. 464, 466, 595, 596, 638, 645, 652, 655, 670, 690.

March 3, 1857.
Vol. 11, p. 185.

NO. 647.—AN ACT to establish an additional land district in the State of Wisconsin.

Chippewa land
district consti-
tuted.

Be it enacted, &c., That so much of the districts of lands now subject to sale at La Crosse and Hudson, in the State of Wisconsin, as are contained within the following boundaries, shall constitute a new land district, to be called the Chippewa district, to wit: north of the line dividing townships twenty-four and twenty-five north; south of the line dividing townships forty and forty-one north; west of the line

dividing ranges one and two east, and east of the line dividing ranges eleven and twelve west; the location of the office for which shall be designated by the President of the United States, and shall by him from time to time be changed as the public interest may seem to require.

SEC. 2. *And be it further enacted*, That there shall be appointed by the President, by and with the advice and consent of the Senate, or during the recess thereof and until the end of its next session after such appointment, a register and receiver for said district, who shall respectively be required to reside at the site of the office, be subject to the same laws, and entitled to the same compensation as is or may hereafter be prescribed by law in relation to other land officers of the United States. Officers there-
of.

SEC. 3. *And be it further enacted*, That the sales shall continue at the old land offices at La Crosse and Hudson till the registers and receivers thereat are notified that the officers for the district created by this act are prepared to enter on their duties. Sales to con-
tinue at old offi-
ces till, &c.

SEC. 4. *And be it further enacted*, That to meet the expenses of carrying this act into effect, the sum of five thousand dollars, or as much thereof as may be necessary, is hereby appropriated for salaries, commissions and incidental expenses of the offices of the register and receiver, to be expended under the direction of the Commissioner of the General Land Office. (a) Appropriation.

(a) See Nos. 389, 599, 601, 627, 630, 636, 642, 663.

No. 648.—AN ACT to confirm to Charles Waterman his title to certain lots in Milwaukee, Wisconsin.

March 3, 1857.
Vol. 11, p. 515.

Be it enacted, &c., That the title of Charles Waterman to lots numbered one and two, in block numbered ninety-eight, in the third ward of the city of Milwaukee, in the State of Wisconsin, extending to Lake Michigan, formerly occupied by the United States light-house keeper, be and the same is hereby confirmed, and that a patent shall issue therefor as in other cases: *Provided*, That this confirmation shall only operate as a relinquishment of title on the part of the United States, and shall in no way affect the rights of third parties. Land title in
Milwaukee, con-
firmed to Charles
Waterman.

Act to operate
only as a relin-
quishment.

No. 649.—AN ACT for the relief of Isaac Drew and other settlers upon the public lands in the State of Wisconsin.

May 24, 1858.
Vol. 11, p. 203.

Be it enacted, &c., That Isaac Drew, and such other persons as may have settled, in good faith, in the State of Wisconsin, since the first day of July, eighteen hundred and fifty, upon any portion of the lands that were erroneously selected by said State as a part of the five hundred thousand acre grant, which selections were not confirmed, and who were at that date, or since that time have become, an actual settler and house-keeper, and made improvements on any tract embraced among said erroneous selections, are hereby entitled to the same right of preëmption, and upon the same terms and conditions, as are prescribed by an act entitled "An act to appropriate the proceeds of the sales of the public lands and grant preëmption rights," approved September fourteenth, [fourth,] eighteen hundred and forty-one: *Provided*, such lands shall be paid for by such settlers at the minimum price. Settlers, &c
since July 1, 1850,
on lands wrongly
selected by State,
entitled to pre-
emption.

SEC. 2. *And be it further enacted*, That where persons have erroneously entered any of the lands named in the first section of this act, and shall satisfactorily show to the register and receiver that, prior to, or within three months after, the passage of this act, they have made an actual settlement on the lands mentioned in the first section, the Commissioner of the General Land Office is hereby authorized to issue patents therefor: *Provided*, That it shall be satisfactorily made to appear to him that the entry of the tract or tracts sought to be patented does not interfere with the rights or occupancy of any actual settler. (a) Persons who
have wrongly en-
tered, &c., and
actual settlers, to
have patents.

Proviso.

(a) See Nos. 389, 599, 601, 610, 616, 626, 627, 629, 630, 635, 644, 650, 654, 656, 659, 663, 667, 679, 680, 686, 694.

June 9, 1858.
Vol. 11, p. 313.

No. 650.—AN ACT for the relief of certain settlers on the public lands in the State of Wisconsin.

Certain selections of land under act of 1846 confirmed to Wisconsin.

Be it enacted, &c., That so much of the even-numbered sections of land selected by the State of Wisconsin in the month of June, in the year eighteen hundred and forty-nine, to satisfy the quantity of land due said State under the act of Congress of August eighth, eighteen hundred and forty-six, granting land in aid of the improvement of the Fox and Wisconsin rivers, as have been sold, or contracted to be sold, by said State or its assigns, under the laws thereof, are hereby confirmed to said State, as parts of said grant, and the title of the purchasers declared to be valid as though the said selections had been made in conformity with law: *Provided,* That nothing contained in this act shall be construed to increase the quantity of land to which the State is entitled under the grant aforesaid: *And provided further,* That a schedule, duly certified by the governor, of the lands sold and contracted for to be sold, prior to the passage of this act, shall be filed in the General Land Office within six months from the date of this act. (a)

Proviso.

Further proviso.

Certain persons entitled to pre-emption.

SEC. 2. *And be it further enacted,* That every person being the head of a family, widow, or single man over the age of twenty-one years, who, on the eleventh day of June, in the year eighteen hundred and forty-nine, was, or since that time has become, an actual settler and house-keeper, and has made other improvements on any tract embraced in said even-numbered section selection, which the State of Wisconsin or its assigns has not sold or contracted to sell, is hereby entitled to the same right of preemption, and upon the same terms and conditions, as is prescribed by an act entitled "An act to appropriate the proceeds of the sales of the public lands and to grant preemption rights," approved September fourth, in the year eighteen hundred and forty-one: *Provided,* That this act shall not be construed to convey to Wisconsin any parts or portions of said even-numbered section selections which said State or its assigns have not actually sold or contracted to sell, and the title to which is not confirmed by the first section of this act. (b)

Proviso.

(a) See Nos. 623, 629, 631, 639, 643, 671.

(b) See Nos. 389, 599, 601, 610, 616, 626, 627, 629, 630, 635, 644, 649, 654, 656, 659, 668, 667, 679, 680, 686, 694.

June 1, 1860.
Vol. 12, p. 22.

No. 651.—AN ACT authorizing the "Domestic and Foreign Missionary Society of the Protestant Episcopal Church in the United States" to enter a certain tract of land in the State of Wisconsin.

The "Mission Farm" may be entered at \$1.25 per acre.

Be it enacted, &c., That the "Domestic and Foreign Missionary Society of the Protestant Episcopal Church in the United States" be, and is hereby, authorized to enter, at the rate of one dollar and twenty-five cents per acre, a certain tract of land known as the "Mission Farm," and numbered as lot number eighteen, on the east bank of Fox River, near Green Bay, State of Wisconsin, having a front on Fox River of six chains, and running eastwardly back from the river, between parallel lines, one hundred and fifty-four and sixty-nine hundredths chains, and containing ninety-two and eighty-one hundredths superficial acres.

June 13, 1860.
Vol. 12, p. 857.

No. 652.—AN ACT for the relief of Francis Lavonture and Pierre Grignon.

Land titles of Francis Lavonture and Pierre Grignon confirmed.

Be it enacted, &c., That the titles to certain tracts of land at Green Bay, Wisconsin, confirmed to Francis Lavonture and Pierre Grignon by the commissioners appointed under the act of Congress, approved February twenty-one, eighteen hundred and twenty-three, entitled "An act to revive and continue in force certain acts for the adjustment of land claims in the Territory of Michigan," and which are described as follows: To Francis Lavonture, "commencing at low-water mark on Fox River, and running west eighty arpens, or so far as to make said claim contain six hundred and forty acres, (as confirmed by said commissioners,) and bounded on the south by a certain tract occupied by the United States garrison, west and north by wild or uncultivated lands, and east by Fox River, being sixteen arpens in breadth;" and to Pierre Grignon for a piece or parcel of ground lying and being on the west side of Fox River, Green Bay, immediately below the first creek that empties into said river, about fifteen acres in front on the said river, and extending back indefinitely, be, and the same are hereby, ratified and confirmed; and that the Commissioner of the General Land Office cause the said tracts of land to be surveyed in the same manner as other private claims

to lands in Green Bay have been surveyed; and that he be required to issue patents thereon to and in the names of the aforesaid Francis Lavonture and Pierre Grignon, respectively, subject to such legal transfers or assignments as may have been made by them, or either of them, or their heirs or legal representatives, at any time subsequent to the confirmation to them, respectively, by the said Commissioner, according to the fifth section of the said act of eighteen hundred and twenty-three. (a)

(a) See Nos. 464, 466, 595, 596, 638, 645, 646, 655, 670, 690.

No. 653.—AN ACT for the relief of Sylvester Gray.

June 22, 1860.
Vol. 12, p. 869.

Be it enacted, &c., That the claim of Sylvester Gray, a free man of color, made under the preëemption act of September fourth, eighteen hundred and forty-one, to the northwest quarter of section fourteen, in township forty-eight, of range thirteen, of the lands of the United States subject to sale at the land office at Superior, Wisconsin, be, and the same is hereby confirmed; and upon completion of such claim, by payment of the purchase-money, or the location of a bounty-land warrant, the Secretary of the Interior shall cause to be issued to the said Sylvester Gray, a patent for the said land, as in other cases.

Land claim of
Sylvester Gray
allowed.

No. 654.—A RESOLUTION explanatory of and in addition to the act of June third, eighteen hundred and fifty-six, granting public lands to the State of Wisconsin to aid in the construction of railroads in said State.

April 25, 1862.
Vol. 12, p. 618.

Resolved, &c., That the word "northerly," in the first section of the act entitled "An act granting public lands to the State of Wisconsin to aid in the construction of railroads in said State," approved June third, eighteen hundred and fifty-six, shall, without forfeiture to said State or its assigns of any rights or benefits under said act, or exemption from any of the conditions or obligations imposed thereby, be construed to authorize the location of the line of railroad in said first section provided for, upon any eligible route within ranges sixteen to twenty-three, inclusive, east of the fourth principal meridian. And the line of railroad as now located according to the records of the General Land Office in pursuance of said act is hereby authorized to be changed to within the above specified limits: *Provided, however,* That upon the construction of said railroad upon the new line, or of a sufficient part thereof, according to the terms of said act, the State of Wisconsin, its grantees or assigns, shall receive upon the route originally located, and in the manner prescribed by the act, the same quantity of lands, and no more or other, except as hereinafter provided for, as it or they would have received if such railroad had been constructed upon the line originally located. (a)

Construction
of word "north-
erly" in act 1856.

State to receive
same quantity of
lands, &c.

SEC. 2. *And be it further resolved,* That there be and is hereby granted to the State of Wisconsin, for the purpose of aiding in the construction of a railroad from the town of Appleton in said State, to some point on Green Bay, at or near the mouth of Fox River, in said State, so much of the public lands of the United States lying at or near the mouth of said river, in the county of Brown and State of Wisconsin, known as the Fort Howard military reserve, as may be required for right of way, tracks, turnouts, depots, workshops, warehouses, wharves, and other railroad uses, not exceeding eighty acres, to be so selected by the State of Wisconsin or her assigns as to exclude the fort therefrom: *Provided, however,* That if no railroad be constructed and in running order between the termini in this section mentioned within three years from the passage of this joint resolution, then this grant shall be void. (b)

Grant of land
for railroad in
Wisconsin.

SEC. 3. *And be it further resolved,* That the Secretary of the Interior be and he is hereby authorized to cause all even sections or parts of even sections of public land that may be brought within six miles of the new line of railroad, as herein provided for, to be sold at the same price and in the same manner as those have been upon the originally located route of railroad. And all purchasers, or their heirs or assigns, within the six-mile limits of the said originally located route, who shall be more than six miles from the new line of route herein authorized, and who have paid the sum of two dollars and fifty cents an acre, shall have the right either to exchange their locations upon the line as first

Lands on line
of railroad, how
to be disposed of.

established to the new line, upon the same terms, in like quantities, and in the same manner, as on the line first established as aforesaid, or, at their option, to enter without further payment, anywhere within the Menasha land district, in the State of Wisconsin, an additional quantity of public lands subject to private entry at one dollar and twenty-five cents an acre equal to the quantity entered by them at two dollars and fifty cents an acre, so that the lands originally entered by them shall thus be reduced to the rate of one dollar and twenty-five cents an acre.

Even sections of land, price of.

SEC. 4. *And be it further resolved*, That the even sections of public lands reserved to the United States by the aforesaid act of June third, eighteen hundred and fifty-six, along the originally located route of railroad north of the said town of Appleton, and along which no railroad has been constructed, shall hereafter be sold at one dollar and twenty-five cents an acre. (c)

(a) See Nos. 544, 644, 658, 659, 662, 666, 672, 675, 676, 681, 685, 689, 692, 695.

(b) See Nos. 656, 667.

(c) See Nos. 389, 599, 601, 610, 616, 626, 627, 629, 630, 635, 644, 649, 650, 656, 659, 663, 667, 679, 680, 686, 694.

July 11, 1862.
Vol. 12, p. 530.

No. 655.—AN ACT to grant the right of preëmption to settlers on certain lots in Wisconsin.

Survey to be made of certain lots of land in Wisconsin.

Be it enacted, &c., That the Commissioner of the General Land Office be, and he is hereby, directed to cause survey to be made of that portion of lots numbered ten and eleven, lying east of the river An Diable, in township twenty-three north, of range twenty-one east, in the State of Wisconsin, and which portion was not embraced by the confirmatory provisions of the act of Congress approved February twenty-one, eighteen hundred and twenty-three, entitled "An act to revive and continue in force certain acts for the adjustment of land claims in the Territory of Michigan." (a)

(a) See Nos. 464, 466, 595, 596, 598, 607, 638, 645, 646, 652, 656, 668, 670, 690.

March 3, 1863.
Vol. 12, p. 771.

No. 656.—AN ACT to provide for the disposal of certain lands therein named.

Fort Howard military reserve to be surveyed and subdivided into lots.

Be it enacted, &c., That the Commissioner of the General Land Office shall, as soon as may be, cause that portion of the public domain known as the Fort Howard military reserve, including the site of the fort, containing three acres and four-hundredths of an acre, which is situated in the county of Brown and State of Wisconsin, between Fox River and Beaver Dam Run, and which is not included in the confirmations to Talbot C. Dousman and Daniel Whitney, nor in the grant to the State of Wisconsin under the resolution of Congress approved April twenty-fifth, eighteen hundred and sixty-two, entitled "A resolution explanatory of, and in addition to, the act of June third, eighteen hundred and fifty-six, granting public lands to the State of Wisconsin to aid in the construction of railroads in said State," as heretofore surveyed under the direction of the surveyor-general of Wisconsin and Iowa, (a) to be surveyed and subdivided into lots of such form and of such size, not less than one-fourth of an acre, and not more than forty acres, as he may deem expedient, dedicating such portions of the same to the use of the public for streets and highways as he may think the public interest and convenience may require; and shall cause a plat thereof to be duly and properly certified by such surveyor-general, and recorded in the office of the register of deeds for said county of Brown, (b) and when so surveyed, platted, and recorded, he shall cause each and all said lots to be sold separately at public auction, giving not less than two months' notice of the time and place of such sale by advertising the same in such newspapers and for such period of time as he may deem best. Every such lot shall be sold to the highest bidder for cash, and when not paid for within twenty-four hours from the time of purchase, it shall be liable to be resold under the order of the Commissioner of the General Land Office aforesaid, but no sale shall be binding until approved by the Secretary of the Interior. (c)

Streets.
Plats to be certified and recorded.

Lots to be sold separately at public auction.

Sale not binding unless approved.

Patents.

SEC. 2. *And be it further enacted*, That it shall be the duty of the President to cause patents to be issued in due form of law for each and every such lot as soon as may be after the purchase of and payment for the same.

SEC. 3. *And be it further enacted*, That it shall also be the duty of the Commissioner of the Land Office to cause so much of the public domain adjacent to said reserve as lies between said Beaver Dam Run and Duck Creek to be resurveyed into lots, the lines of which shall conform as near as may be to the lines of the survey formerly made by Albert G. Ellis, and shall cause certified plats thereof to be returned as is provided by law in the case of other surveys of the public domain; and he shall thereupon proceed to dispose of the same as other public lands are disposed of, saving to every person who upon the passage of this act may be in possession of any part of said lands, and shall have made improvements thereon, as provided under the preëmption laws of the United States, the right to purchase any lots so improved, lying contiguous to each other, and not exceeding in the aggregate eighty acres, upon making proof of such possession and improvements, and paying for such lots the sum of one dollar and twenty-five cents per acre, within six months after public notice shall be given of the time and place for making such proof and payment.

SEC. 4. *And be it further enacted*, That the Commissioner of the General Land Office shall cause the military reserve of Fort Crawford, in the county of Crawford, in the same State, to be surveyed and disposed of in the manner prescribed in the first and second sections of this act for the disposition of the Fort Howard reserve.

(a) See Nos. 654, 667.

(b) See Nos. 598, 607, 655, 668.

(c) See Nos. 349, 599, 601, 610, 616, 626, 627, 629, 630, 635, 644, 649, 650, 654, 659, 663, 667, 679, 680, 686, 694.

No. 657.—AN ACT granting lands to the States of Michigan and Wisconsin to aid in the construction of a "military road" from Fort Wilkins, Copper Harbor, Keweenaw County, in the State of Michigan, to Fort Howard, Green Bay, in the State of Wisconsin.

March 3, 1863.
Vol. 12, p. 797.

[See MICHIGAN, No. 537.]

No. 658.—AN ACT making a grant of lands to the State of Minnesota, to aid in the construction of the railroad from Saint Paul to Lake Superior.

May 5, 1864.
Vol. 13, p. 64.

[See MINNESOTA, No. 1871.]

No. 659.—AN ACT granting lands to aid in the construction of certain railroads in the State of Wisconsin.

May 5, 1864.
Vol. 13, p. 66.

Be it enacted, &c., That there be, and is hereby, granted to the State of Wisconsin, for the purpose of aiding in the construction of a railroad from a point on the Saint Croix River or Lake, between townships twenty-five and thirty-one, to the west end of Lake Superior, and from some point on the line of said railroad, to be selected by said State, to Bayfield, every alternate section of public land designated by odd numbers, for ten sections in width on each side of said road, deducting any and all lands that may have been granted to the State of Wisconsin for the same purpose, by the act of Congress of June three, eighteen hundred and fifty-six, upon the same terms and conditions as are contained in the act granting lands to the State of Wisconsin, to aid in the construction of railroads in said State, approved June three, eighteen hundred and fifty-six. But in case it shall appear that the United States have, when the line or route of said road is definitely fixed, sold, reserved, or otherwise disposed of, any sections or parts thereof, granted as aforesaid, or that the right of preëmption or homestead has attached to the same, then it shall be lawful for any agent or agents, to be appointed by said company, to select, subject to the approval of the Secretary of the Interior, from the public lands of the United States nearest to the tier of sections above specified, as much land in alternate sections or parts of sections, as shall be equal to such lands as the United States have sold or otherwise appropriated, or to which the right of preëmption or homestead has attached as aforesaid, which lands (thus selected in lieu of those sold, and to which preëmption or homestead right has attached as aforesaid, together with sections and parts of sections designated by odd numbers as aforesaid, and appropriated as aforesaid,) shall be held by said State for the use and purpose aforesaid: *Provided*, That the lands to be so located shall in no case be further than twenty

Land granted to Wisconsin for certain railroads.

From Saint Croix River or Lake to Lake Superior.

Reserved or preëmpted lands.

Lands not to be located more than

twenty miles from the line of the said roads, nor shall such selection or location be made in lieu of lands received under the said grant of June three, eighteen hundred and fifty-six, but such selection and location may be made for the benefit of said State, and for the purpose aforesaid, to supply any deficiency under the said grant of June third, eighteen hundred and fifty-six, should any such deficiency exist.

Road from Tomah to Saint Croix River.

SEC. 2. *And be it further enacted*, That there be, and is hereby, granted to the State of Wisconsin, for the purpose of aiding in the construction of a railroad from the town of Tomah, in the county of Monroe, in said State, to the Saint Croix River or Lake, between townships twenty-five and thirty-one, every alternate section of public land designated by odd numbers for ten sections in width on each side of said road, deducting any and all lands that may have been granted to the State of Wisconsin for the same purpose, by the act of Congress granting lands to said State to aid in the construction of certain railroads, approved June three, eighteen hundred and fifty-six, upon the same terms and conditions as are contained in the said act of June three, eighteen hundred and fifty-six. But in case it shall appear that the United States have,

Reserved or preëmpted lands.

when the line or route of said road is definitely fixed, sold, reserved, or otherwise disposed of any sections, or parts of sections, granted as aforesaid, or that the right of preëmption or homestead has attached to the same, then it shall be lawful for any agent or agents to be appointed by said State to select, subject to the approval of the Secretary of the Interior, from the public lands of the United States nearest to the tier of sections above specified, as much land, in alternate sections, or parts of sections, as shall be equal to such lands as the United States have sold, or otherwise appropriated, or to which the right of pre-emption or homestead has attached, as aforesaid, which lands (thus selected in lieu of those sold, and to which preëmption or homestead right has attached as aforesaid, together with sections and parts of sections, designated by odd numbers as aforesaid, and appropriated as aforesaid) shall be held by said State for the use and purpose aforesaid: *Provided*,

Lands not to be located more than twenty miles from the road.

That the lands to be so located shall in no case be further than twenty miles from the line of the said road, nor shall such selection or location be made in lieu of lands received under the said grant of June three, eighteen hundred and fifty-six, but such selections and locations may be made for the benefit of said State, and for the purpose aforesaid, to supply any deficiency under the said grant of June three, eighteen hundred and fifty-six, should any such deficiency exist.

Road from Portage City or Fon du Lac to Bayfield, &c.

SEC. 3. *And be it further enacted*, That there be, and is hereby, granted to the State of Wisconsin, for the purpose of aiding in the construction of a railroad from Portage City, Berlin, Doty's Island, or Fon du Lac, as said State may determine, in a northwestern direction, to Bayfield, and thence to Superior, on Lake Superior, every alternate section of public land, designated by odd numbers, for ten sections in width on each side of said road, upon the same terms and conditions as are contained in the act granting lands to said State to aid in the construction of railroads in said State, approved June three, eighteen hundred and fifty-six. But in case it shall appear that the United States have, when

Reserved and preëmpted lands.

the line or route of said road is definitely fixed, sold, reserved, or otherwise disposed of any sections or parts thereof, granted as aforesaid, or that the right of preëmption or homestead has attached to the same, that it shall be lawful for any agent or agents of said State, appointed by the governor thereof, to select, subject to the approval of the Secretary of the Interior, from the lands of the United States nearest to the tier of sections above specified, as much public land in alternate sections, or parts of sections, as shall be equal to such lands as the United States have sold or otherwise appropriated, or to which the right of pre-emption or homestead has attached as aforesaid, which lands (thus selected in lieu of those sold and to which the right of preëmption or homestead has attached as aforesaid, together with sections and parts of sections designated by odd numbers as aforesaid, and appropriated as aforesaid) shall be held by said State, or by the company to which she may transfer the same, for the use and purpose aforesaid: *Provided*,

Limit and location of lands.

That the lands to be so located shall in no case be further than twenty miles from the line of said road: (a)

Minimum price of remaining lands.

SEC. 4. *And be it further enacted*, That the sections and parts of sections of lands which shall remain to the United States within ten miles on each side of said roads shall not be sold for less than double the minimum price of the public lands when sold; nor shall any of the

said reserved lands become subject to private entry until the same have been first offered at public sale at the increased price. (b)

SEC. 5. *And be it further enacted*, That the time fixed and limited for the completion of said roads in the act aforesaid of June three, eighteen hundred and fifty-six, be and the same is hereby extended to a period of five years from and after the passage of this act. Time for completion of former roads extended.

SEC. 6. *And be it further enacted*, That any and all lands reserved to the United States by any act of Congress for the purpose of aiding in any object of internal improvement, or in any manner for any purpose whatsoever, and all mineral lands be and the same are hereby reserved and excluded from the operation of this act, except so far as it may be found necessary to locate the route of such railroads through such reserved lands, in which case the right of way only shall be granted, subject to the approval of the President of the United States. Lands formerly granted and mineral lands exempted from this act, except as to right of way.

SEC. 7. *And be it further enacted*, That whenever the companies to which this grant is made, or to which the same may be transferred, shall have completed twenty consecutive miles of any portion of said railroads, supplied with all necessary drains, culverts, viaducts, crossings, sidings, bridges, turn-outs, watering-places, depots, equipments, furniture, and all other appurtenances of a first-class railroad, patents shall issue conveying the right and title to said lands to the said company entitled thereto, on each side of the road, so far as the same is completed, and coterminous with said completed section, not exceeding the amount aforesaid, and patents shall in like manner issue as each twenty miles of said road is completed: *Provided, however*, That no patents shall issue for any of said lands unless there shall be presented to the Secretary of the Interior a statement, verified on oath or affirmation by the president of said company, and certified by the governor of the State of Wisconsin, that such twenty miles have been completed in the manner required by this act, and setting forth with certainty the points where such twenty miles begin and where the same end; which oath shall be taken before a judge of a court of record of the United States. Patents for the granted lands, when and how to issue.

SEC. 8. *And be it further enacted*, That the said lands hereby granted shall, when patented as provided in section seven of this act, be subject to the disposal of the companies respectively entitled thereto, for the purposes aforesaid, and no other, and the said railroads be, and shall remain, public highways for the use of the Government of the United States, free from all toll or other charge, for the transportation of any property or troops of the United States. Certificate of the governor of Wisconsin.

SEC. 9. *And be it further enacted*, That if said road mentioned in the third section aforesaid is not completed within ten years from the time of the passage of this act, as provided herein, no further patents shall be issued to said company for said lands, and no further sale shall be made, and the lands unsold shall revert to the United States. (a) Lands to be applied only to the purposes of the roads. Roads to be public highways for the use of the United States. Roads, when to be completed. If not, lands unsold to revert to the United States.

(a) See Nos. 544, 644, 654, 658, 662, 666, 672, 675, 676, 681, 685, 689, 692, 695.

(b) See Nos. 389, 599, 601, 610, 616, 626, 627, 629, 630, 635, 644, 649, 650, 654, 656, 663, 667, 679, 680, 686, 694.

No. 660.—AN ACT granting lands to the State of Wisconsin to build a military road to Lake Superior.

June 25, 1864.
Vol. 13, p. 183.

Be it enacted, &c., That there be, and is hereby, granted to the State of Wisconsin, to aid in the construction of a military wagon-road from Wausaw, Marathon County, Wisconsin, following the Wisconsin River as far as Skonowang, and from thence, on the most feasible and direct route, to a point on the State line between the States of Wisconsin and Michigan, in a direction leading to Ontonagon, on Lake Superior, every alternate section of public land, not mineral, designated by odd numbers, for three sections in width on each side of said road. But in case it shall appear that the United States have, when the line or route of said road is definitely fixed, sold, reserved, or otherwise disposed of any section, or any part thereof, granted as aforesaid, or that the right of preëmption or homestead settlement has attached to the same, then it shall be the duty of the Secretary of the Interior to set apart from the public lands of the United States, as hereinbefore described, designated by odd numbers, as near to said even section aforesaid as may be, and the same shall be located within six miles of said road, so much land as shall be equal to such lands as the United States have sold or otherwise appropriated, or to which the right of preëmption or homestead settlement

Lands granted to Wisconsin for military wagon road.

Mineral lands not granted.

Lands to be granted in lieu of those previously disposed of.

has attached ; which lands, (thus selected in lieu of those sold, reserved, or otherwise appropriated, and to which the right of preëmption or homestead settlement has attached as aforesaid) together with the sections and parts of sections designated by odd numbers as aforesaid, and approved as aforesaid, shall be held by the State of Wisconsin for the use and purpose aforesaid: *Provided*, That the lands hereby granted shall be exclusively applied in the construction of that road for and on account of which such lands are hereby granted, and shall be disposed of only as the work progresses, and the same shall be applied to no other purpose whatever: *Provided, further*, That any and all lands heretofore reserved to the United States, or granted by any act of Congress, or in any other manner by competent authority, for the purpose of aiding in any object of internal improvement, or for any other purpose whatsoever, be, and the same are hereby, reserved and excluded from the operation of this act, except so far as it may be found necessary to locate the route of said road through such reserved lands, in which case the right of way only shall be granted.

SEC. 2. *And be it further enacted*, That the said lands hereby granted to the said State shall be subject to the disposal of the legislature thereof, for the purposes aforesaid and no other ; and the said road shall be, and remain, a public highway for the use of the Government of the United States, free from tolls or other charge upon the transportation of any property, troops, or mails of the United States.

SEC. 3. *And be it further enacted*, That the lands hereby granted to said State shall be disposed of only in the following manner—that is to say, when the said governor shall certify to the Secretary of the Interior that any ten consecutive miles of said road has been completed under the provisions of this act, and in accordance with the fourth section of this act, stating definitely where said completed section of road commences and where it terminates, it shall be the duty of the said Secretary to cause patents to issue to said State for three sections of land for each mile of road thus completed as aforesaid, and so on until the whole of said road is completed: *Provided, further*, That no patent shall be given for any of the aforesaid lands before the completion of ten consecutive miles of road, or for any road, or for any part of any road, made before the passage of this act, or for any greater quantity than thirty sections for each ten miles completed according to the provisions of this act ; and if said road is not completed within five years, no further sales shall be made, and the lands unsold shall revert to the United States.

SEC. 4. *And be it further enacted*, That said military road shall be constructed under the direction of such agents or commissioners as the governor of said State may appoint, and where it passes through timbered lands shall be chopped out a uniform width of at least six rods. The road-bed proper to be not less than thirty-two feet wide, and constructed with ample ditches on both sides, so as to afford sufficient drains, with good and substantial bridges and proper culverts and sluices where necessary. All stumps and roots to be thoroughly grubbed out between the ditches the entire length of said road ; the central portion of which to be sufficiently raised to afford a dry road-bed by means of drainage from the centre to the side ditches ; the hills to be levelled and valleys raised so as to make as easy a grade as practicable. (a)

(a) See Nos. 637, 657, 673, 678, 683.

July 1, 1864.
Vol. 13, p. 413.

No. 661.—A RESOLUTION for the relief of the State of Wisconsin.

Resolved, &c., That the Secretary of the Department of the Interior shall, in adjusting the amount due the State of Wisconsin, under existing laws, as five per centum of the net proceeds of sales of the public lands within her limits, (a) estimate and charge against her the value of the one hundred and twenty-five thousand four hundred and thirty-one and eighty two one-hundredths acres of land granted to the Territory of Wisconsin, to aid in the construction of the Milwaukee and Rock River Canal which have been sold by said Territory or said State, at one dollar and twenty-five cents per acre, and as much more as the Territory and State received upon the same upon sales of any part thereof at a higher price, and shall credit said State with the amount that has been legally and properly applied by said State or Territory towards the cost

of selling said land and towards the construction of said canal. And the said Secretary shall also settle and allow to the Milwaukee and Rock River Canal Company such sums of money as have been properly expended by said company in the survey and location of said canal, in the construction thereof, as far as the same has been constructed, together with dams, locks, and slack-water navigation, and in the management and keeping the same in repair; and the same shall be paid to the said canal company out of any money in the Treasury not otherwise appropriated, not exceeding in amount, however, the balance charged against the State of Wisconsin upon the sales of said canal lands, as above required, after deducting the sum allowed said State for money paid by her out of the same fund. The same to be received by said canal company in full payment and satisfaction of all claims of said company against the State of Wisconsin and of the United States on account of said canal land-grant, or on account of any action of the Territory or State of Wisconsin, or of the United States, in relation thereto. (b)

Allowance to the canal company.

SEC. 2. *And be it further resolved*, That the Commissioner of the General Land Office be, and he is hereby, appointed commissioner to adjust the accounts herein provided for, under the supervision of the Secretary of the Interior, and to determine what sum shall be charged to said State of Wisconsin for the lands granted for the construction of said canal; and what sums shall be credited, respectively, to said State and said company, for the moneys expended by them in the construction of said locks and canal as herein provided.

Commissioner of General Land Office to adjust the accounts.

(a) See Nos. 622, 626, 629.

(b) See Nos. 610, 626, 629.

No. 662.—AN ACT to extend the time for the completion of certain railroads to which land grants have been made in the States of Michigan and Wisconsin.

March 3, 1865.
Vol. 13, p. 590.

[See MICHIGAN, No. 544.]

No. 663.—AN ACT to authorize the issuing of patents for certain lands in the town of Stockbridge, State of Wisconsin, and for other purposes.

March 3, 1865.
Vol. 13, p. 530.

Be it enacted, &c., That, upon satisfactory proof being made that any occupant[s] of unpatented land in the town of Stockbridge, Calumet County, in the State of Wisconsin, which has, by treaty or otherwise, been allotted to any individual members of the Stockbridge or Munsee tribe of Indians, (a) are the purchasers, grantees, or assignees of such members of said tribes, the President of the United States be authorized to issue patents for the land so occupied to such purchasers, grantees, or assignees, respectively: *Provided*, That in case of conflicting claims to any of the lots of land the Commissioner of the General Land Office is authorized to hear the proofs of the respective claimants, and to decide which of such claimants are justly entitled to said land, and patents shall be issued in accordance with such decision.

Patents may issue for certain lands in Stockbridge, Wisconsin.

Conflicting claims.

SEC. 2. *And be it further enacted*, That patents issued according to this act shall vest in the patentee title to the land described in such patent, in fee-simple, subject to any valid lien or incumbrance thereon created by said patentee or those under whom he claims.

Patents to vest the fee subject to valid liens.

SEC. 3. *And be it further enacted*, That the lots of land in said town of Stockbridge belonging to the United States, not hereinbefore directed to be patented, shall be attached to and form a part of the Menasha land district, (b) and if, in the opinion of the Commissioner of the General Land Office, it shall be for the public interest, the same may be sold at the minimum price of three dollars per acre for lots fronting on Lake Winnebago, five dollars per acre for the two tiers of lots fronting on the military road, one tier of lots on each side thereof, and two dollars and fifty cents per acre for the residue of said land to actual settlers thereon possessing the qualifications requisite to acquire preëmption rights, who shall prove to the satisfaction of the register of the land office at Menasha, Wisconsin, that he or she has made improvements to the value of not less than fifty dollars, and is actually residing upon the land; the time of paying the purchase price may be extended for a period not exceeding one year from the passage of this act: *Provided*, That no such actual settler shall be permitted to preëempt more than two contiguous lots on which he or she has made improvements of

Lands in Stockbridge not patented to form part of the Menasha land district.

May be sold.

Time of payment extended to certain purchasers.
Not more than

two contiguous lots can be pre-empted. "The value of not less than one hundred dollars. The lands not sold within one year as hereinbefore provided, shall be brought into market and sold at not less than the minimum prices fixed by this act. (c)

Lands when to be brought into market.

(a) See Nos. 617, 621, 664, 669, 674, 679, 693.

(b) See Nos. 389, 599, 602, 627, 630, 636, 642, 647.

(c) See Nos. 329, 599, 601, 610, 616, 626, 627, 629, 630, 635, 644, 649, 650, 654, 656, 659, 667, 679, 680, 686, 694.

March 3, 1865.
Vol. 13, p. 541.

No. 664.—AN ACT making appropriations for the current and contingent expenses of the Indian Department, and for fulfilling treaty stipulations with various Indian tribes for the year ending thirtieth June, eighteen hundred and sixty-six, and for other purposes.

* * * * *

Chiefs, &c., of Stockbridge Munsees may enter a homestead.

SEC. 4. *And be it further enacted,* That each of the chiefs, warriors, and heads of families of the Stockbridge Munsee tribes of Indians residing in the county of Shawana and State of Wisconsin, may, under the direction of the Secretary of the Interior, enter a homestead and become entitled to all the benefits of an act entitled "An act to secure homesteads to actual settlers on the public domain," approved May twenty, eighteen hundred and sixty-two, free from any fee or charge whatever, and any part of the lands being a part of their present reservation, which may be abandoned under the foregoing provisions, may be sold under the direction of the Secretary of the Interior, and the proceeds applied for the benefit of such Indians as may settle on said homesteads, to aid them in improving the same. The said homestead thus secured shall not be subject to any tax, levy, or sale whatever, nor shall the same be sold, conveyed, mortgaged, or in any manner encumbered except upon the decree of the district court of the United States, as hereinafter provided. Whenever any of said chiefs, warriors, or heads of families of said tribes, having filed with the clerk of the district court of the United States a declaration of his intention to become a citizen of the United States, and to dissolve all relations with any Indian tribe, two years previous thereto, shall appear in said court, and prove to the satisfaction thereof, by the testimony of two citizens of the United States, that for five years last past he has adopted the habits of civilized life, that he has maintained himself and family by his own industry, that he reads and speaks the English language, that he is well disposed to become a peaceable and orderly citizen; and that he has sufficient capacity to manage his own affairs; the court may enter a decree admitting him to all the rights of a citizen of the United States, and thenceforth he shall be no longer held or treated as a member of any Indian tribe, but shall be entitled to all the rights and privileges, and be subject to all the duties and liabilities to taxation of other citizens of the United States. But nothing herein contained shall be construed to deprive them of annuities to which they are or may be entitled. (a)

* * * * *

(a) See Nos. 617, 621, 663, 669, 674, 679, 693.

April 10, 1866.
Vol. 14, p. 30.

No. 665.—AN ACT granting to the State of Wisconsin a donation of public lands to aid in the construction of a breakwater and harbor and ship canal at the head of Sturgeon Bay, in the county of Door, in said State, to connect the waters of Green Bay with Lake Michigan, in said State.

Grant of land to Wisconsin for breakwater, harbor, and ship canal.

Be it enacted, &c., That there be, and hereby is, granted to the State of Wisconsin for the purpose of aiding said State in constructing and completing a breakwater and harbor and ship canal to connect the waters of Green Bay with the waters of Lake Michigan, two hundred thousand acres of public lands, to be selected in subdivisions agreeably to the United States survey, by an agent or agents appointed by the governor of said State, subject to the approval of the Secretary of the Interior, from lands subject to private entry: *Provided,* That said selections shall all be made from alternate and odd-numbered sections of land nearest the location of said harbor and canal in said State not otherwise appropriated, and not from lands designated by the United States as "mineral" before the passage of this act, nor from lands to which the rights of pre-emption or homestead have attached.

Proviso.
Selections, how made.

Lands subject

SEC. 2. *And be it further enacted,* That the said lands hereby granted

shall be subject to the disposal of the legislature of said State, or, if to disposal of leg-
the legislature thereof shall not be in session, or shall adjourn within legislature, &c.
ten days after the passage and approval of this act, then said lands
shall be subject to the disposal of the governor and board of commis-
sioners of school, university, and swamp lands of said State, for the
purposes aforesaid, and for no other; and the said canal shall be and Canal to be
remain a public highway for the use of the Government of the United States, free from toll or charge upon the vessels of said Government, or public highway,
upon vessels employed by said Government in the transportation of any &c.
property or troops of the United States.

SEC. 3. *And be it further enacted*, That before it shall be competent Plans, &c., to
for said State to dispose of any of said lands, to be selected as aforesaid, be filed in Depart-
the plan of said breakwater and harbor and the route of said canal
shall be established, and a plat or plats thereof shall be filed in the of-
fice of the War Department, and a duplicate thereof filed in the office
of the Commissioner of the General Land Office.

SEC. 4. *And be it further enacted*, That if the said breakwater, harbor, Unless work is
and canal, shall not be completed within three years from the passage completed in
of this act, the lands hereby granted and remaining unsold shall revert three years, un-
to the United States. sold lands revert
to the United States.

SEC. 5. *And be it further enacted*, That the legislature of said State
shall cause to be kept an accurate account of the sales and net proceeds
of the lands hereby granted, and of all expenditures in the construction, Account to be
repairs, and operating of said canal, and of the earnings thereof, and kept; and when
shall return a statement of the same annually to the Secretary of the work is paid for
Interior. And whenever said State shall be fully reimbursed for all only such tolls,
advances made for the construction, repairs, and operating of said &c.
canal, with legal interest on all advances until the reimbursement of
the same, or upon payment by the United States of any balance of such
advances over such receipts from said lands and canal, with such in-
terest, the said State shall be allowed to tax for the use of said canal
only such tolls as shall be sufficient to pay all necessary expenses for
the care, charge, and repair of the same.

SEC. 6. *And be it further enacted*, That said ship canal shall be at least Width and
one hundred feet in width, with a depth of water not less than thirteen depth of canal.
feet. (a)

(a) See Nos. 682, 691.

No. 666.—A RESOLUTION explanatory of, and in addition to, the act of May fifth
eighteen hundred and sixty-four, entitled "An act granting lands to aid in the con-
struction of certain railroads in Wisconsin."

June 21, 1866.
Vol. 14, p. 360.

Resolved, &c., That the words "in a northwestern direction," in the The words "in
third section of the act entitled "An act granting lands to aid in the a northwestern
construction of certain railroads in the State of Wisconsin," approved direction," how
May fifth, eighteen hundred and sixty-four shall, without forfeiture to to be construed
said State, or its assigns, of any rights or benefits under said act, or in authorizing
exemption from any of the conditions or obligations imposed thereby, the location of
the road.
be construed to authorize the location of the line of said road, in said
third section provided for, along and upon the following route, that is
to say: from the city of Portage, by the way of the city of Ripon, in
the county of Fond du Lac, and the city of Berlin, in the county of
Green Lake, to Steven's Point, and thence to Bayfield, and thence to
Superior, on Lake Superior. And the legislature of the said State of
Wisconsin, having, in and by an act entitled "An act to incorporate the Congress as-
Portage and Superior Railroad Company, and to execute the trust crea- sents to the loca-
tion of the Port-
age and Superior
Railroad Com-
pany.
pansy," approved May fifth, eighteen hundred and sixty-four," approved
April —, eighteen hundred and sixty-six, authorized and required the
said Portage and Superior Railroad Company to construct the line of
road in the said third section of the said act of Congress provided for,
upon and along the route hereinbefore set forth and described, the Con-
gress of the United States hereby gives its assent to the route of the
said railroad, as the same is hereinbefore described and set forth, and
consents to the selection and application of the lands granted to the And consents
to the selection
and application
of the lands.
State of Wisconsin by the third section of the said act of Congress here-
inbefore mentioned, for and to the line of the said railroad, as the same
is hereinbefore defined and described, in the same manner and with the
same effect as if the said railroad was located and constructed in strict

conformity with and upon the route prescribed in the said third section of the said act of Congress. It being the intention of this resolution to give the assent of the United States to the disposition made by the legislature of the State of Wisconsin of the land grant herein referred to, and the change of route for the railroad in aid of which the same is granted, and not to make any other disposition, change, or alteration of the grant aforesaid. (a)

(a) See Nos. 544, 644, 654, 658, 659, 662, 672, 675, 676, 681, 685, 689, 692, 695.

July 4, 1866.
Vol. 14, p. 88.

Unsold lots of
Fort Howard
military reserve
to be offered at
public auction.
Notice of sale.
Mode of sale.

No. 667.—AN ACT to provide for the disposal of certain lands therein named.

Be it enacted, &c., That the Commissioner of the General Land Office be, and he is hereby, authorized to cause to be offered at public auction all the unsold lots of that portion of the public domain known as the Fort Howard military reserve, (a) which is situated in the county of Brown, and State of Wisconsin, giving not less than two months' notice of the time and place of such sale, by advertising the same in such newspapers and for such period of time as he may deem best. Every such lot shall be sold separately to the highest bidder for cash, and when not paid for within twenty-four hours from the time of purchase, it shall be liable to be resold under the order of the Commissioner of the General Land Office aforesaid, at such reasonable minimum as may be fixed by the Secretary of the Interior, and no sale shall be binding until approved by that officer. (b)

Patents to is-
sue.

SEC. 2. *And be it further enacted,* That it shall be the duty of the President to cause patents to be issued in due form of law for each and every such lot, as soon as may be after the purchase of and payment for the same.

(a) See Nos. 654, 656.

(b) See Nos. 389, 599, 601, 610, 616, 626, 627, 629, 630, 635, 644, 649, 650, 654, 656, 659, 663, 679, 680, 686, 694.

July 23, 1866.
Vol. 14, p. 191.

Surveyors-gen-
eral and their
clerks.
Office in Wis-
consin and Iowa,
when to be abol-
ished.

No. 668.—AN ACT making appropriations for the legislative, executive, and judicial expenses of the Government for the year ending the thirtieth of June, eighteen hundred and sixty-seven, and for other purposes.

Surveyors-generals and their clerks.—For compensation of the surveyor-general of Wisconsin and Iowa, and clerks for completing and winding up the business in his office, four thousand eight hundred dollars: *Provided,* That when this appropriation shall have been exhausted, the said office shall be abolished. (a)

(a) See Nos. 598, 607, 655, 656.

July 27, 1866.
Vol. 14, p. 604.

Samuel Ste-
vens may enter
and purchase a
certain tract of
land.

No. 669.—AN ACT to authorize Samuel Stevens, a Stockbridge Indian, to enter and purchase a certain tract of land in the Stockbridge reservation, Wisconsin.

Be it enacted, &c., That Samuel Stevens, a Stockbridge Indian, be, and he is hereby, authorized to enter and purchase the tract of land known as lot number one hundred and twenty-six, in the Stockbridge reservation, in the county of Calumet and State of Wisconsin, under the "Act to authorize the issuing of patents for certain lands in the town of Stockbridge, Wisconsin, and for other purposes," approved March third, eighteen hundred and sixty-five. (a)

Patent to issue
to Samuel Ste-
vens, upon, &c.

SEC. 2. *And be it further enacted,* That the Commissioner of the General Land Office be, and he is hereby, authorized and directed, upon the entry and payment therefor, to cause a patent, in due form of law, to be issued to the said Samuel Stevens, in conformity with the act above mentioned.

(a) See Nos. 617, 621, 663, 664, 674, 679, 693.

No. 670.—AN ACT confirming the title of Alexis Gardapier to a certain tract of land in the county of Brown and State of Wisconsin.

Dec. 15, 1866.
Vol. 14, p. 615.

Be it enacted &c., That the claim of Alexis Gardapier to a certain tract of land situate in the county of Brown and State of Wisconsin, described in the report of the commissioners to examine titles and claims in the Territory of Michigan as "lying on the west bank of Fox River, and more particularly known as being a vacant strip lying between a tract number one, confirmed to Jacques Porlier, on the north, and tract number two, confirmed to Louis Grignon, on the south, commencing at low-water mark, and running west eighty arpens, and in width three arpens on the aforesaid river," be, and the same is hereby confirmed, and the Commissioner of the General Land Office is hereby authorized to cause the said tract of land to be surveyed in the same manner as other private claims to lands in Green Bay have been surveyed, and directed to issue a patent therefor, according to the provisions of the fifth section of the act of Congress approved February twenty-one, eighteen hundred and twenty-three, entitled "An act to revive and continue in force certain acts for the adjustment of land claims in the Territory of Michigan," which shall be recorded in the office of the register of deeds for the county aforesaid, for the benefit of the heirs or assigns of the said Alexis Gardapier. (a)

Claim of Alexis Gardapier to land in Wisconsin confirmed.

Land to be surveyed, and patent to issue.

(a) See Nos. 464, 466, 505, 506, 638, 645, 646, 652, 655, 690.

No. 671.—A RESOLUTION extending the time for the completion of the improvement of the Fox and Wisconsin rivers.

March 12, 1867.
Vol. 15, p. 20.

Resolved, &c., That the time provided for the completion of the improvement of the Fox and Wisconsin rivers, and a canal connecting the same, by section three of an act of Congress, approved August eighth, eighteen hundred and forty-six, entitled, "An act to grant a certain quantity of land to aid in the improvement of the Fox and Wisconsin rivers, and to connect the same by a canal in the Territory of Wisconsin," be, and the same hereby is, extended for the term of five years from and after the approval of this resolution, with all the rights and privileges conferred by said act. (a)

Time for completion of the improvement of the Fox and Wisconsin rivers extended.

(a) See Nos. 623, 629, 631, 639, 643, 650.

No. 672.—JOINT RESOLUTION concerning certain lands granted to railroad companies in the States of Michigan and Wisconsin.

May 20, 1868.
Vol. 15, p. 252.

[See MICHIGAN, No. 553.]

No. 673.—AN ACT to extend the time for completing the military road authorized by an act entitled "An act granting lands to the States of Michigan and Wisconsin to aid in the construction of a military road from Fort Wilkins, Copper Harbor, Keweenaw County, in the State of Michigan, to Fort Howard, Green Bay, in the State of Wisconsin.

June 8, 1868.
Vol. 15, p. 67.

[See MICHIGAN, No. 554.]

No. 674.—AN ACT for the relief of Thomas McLean.

June 11, 1868.
Vol. 15, p. 359.

Be it enacted, &c., That Thomas McLean be, and he is hereby, authorized to enter and purchase so much of lot number one hundred and twenty four as has not been disposed of in the Stockbridge reservation, in the county of Calumet, and State of Wisconsin, used and occupied by him, at the price stipulated in the third section of the act of third March, eighteen hundred and sixty-five, providing for the disposal of said reservation, and receive a patent therefor, the said McLean having cultivated and occupied the same for a long series of years. (a)

Thomas McLean may enter and purchase certain land.

(a) See Nos. 617, 621, 663, 664, 669, 679, 693.

July 13, 1868.
Vol. 15, p. 257.

No. 675.—JOINT RESOLUTION to extend the time for the completion of the West Wisconsin Railroad.

Time of completing West Wisconsin Railroad extended.

Be it resolved, &c., That the time fixed and limited by an act entitled "An act granting lands to aid in the construction of certain railroads in the State of Wisconsin," approved May five, eighteen hundred and sixty-four, for the completion of the railroad from Tomah, in the county of Monroe, to Saint Croix River or Lake, between townships twenty-five and thirty-one, be, and the same is hereby, further extended for a period of three years to the West Wisconsin Railroad Company, a corporation established by the laws of the State of Wisconsin, and which, by the law of said State, is entitled to the land grant made in the second section of said act: *Provided*, That if said railway company shall not have completed said railroad from Tomah to Black River Falls on or before the expiration of one year from the passage of this resolution, this act shall be null and void. (a)

(a) See Nos. 544, 644, 654, 658, 659, 662, 666, 672, 676, 681, 685, 689, 692, 695.

July 27, 1868.
Vol. 15, p. 238.

No. 676.—AN ACT amendatory of an act entitled "An Act granting public lands to the State of Wisconsin, to aid in the construction of railroads in said State," approved June 3, 1856.

The legislature of Wisconsin may dispose of certain lands for the benefit of the Wisconsin Railroad Farm Mortgage Land Co.

Be it enacted, &c., That it shall and may be lawful for the legislature of the State of Wisconsin to dispose of the lands granted and which may have enured and been certified to the State of Wisconsin under the act of Congress approved June third, eighteen hundred and fifty-six, to aid in the construction of a railroad "from Madison or Columbus, by way of Portage City to the Saint Croix River or Lake, between township twenty-five and thirty-one," and commonly known as La Crosse and Milwaukee Railroad, for the benefit of the Wisconsin Railroad Farm Mortgage Land Company, existing under and by virtue of the laws of Wisconsin: *Provided, however*, That this act shall apply only to such lands as may be due the State of Wisconsin for the portion of said road already completed. (a)

Proviso.

(a) See Nos. 544, 644, 654, 658, 659, 662, 666, 672, 675, 681, 685, 689, 692, 695.

May 5, 1870.
Vol. 16, p. 116.

No. 677.—AN ACT legalizing certain locations of agricultural-college scrip therein designated.

Locations of certain agricultural-college scrip in Wisconsin in excess, &c., legalized.

Be it enacted, &c., That all locations of agricultural-college scrip allowed prior to December first, eighteen hundred and sixty-seven, at the several land offices in the State of Wisconsin, in excess of the maximum quantity authorized by the act entitled "An act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts," approved July second, eighteen hundred and sixty-two, be, and the same are hereby, legalized; and the Commissioner of the General Land Office is authorized to issue patents upon such locations: *Provided*, That the same shall be in all other respects legal and valid.

Patents to issue.
Proviso.

May 6, 1870.
Vol. 16, p. 191.

No. 678.—AN ACT to extend the time for the completion of the military road from Fort Wilkins, at Copper Harbor, in the State of Michigan, to Fort Howard, at Green Bay, in the State of Wisconsin.

[See MICHIGAN, No. 560.]

Feb. 6, 1871.
Vol. 16, p. 404.

No. 679.—AN ACT for the relief of the Stockbridge and Munsee tribe of Indians, in the State of Wisconsin.

The two townships of land set apart for the Stockbridge and Munsee tribe of Indians to be examined and appraised.

Appraisal to state what.

Be it enacted, &c., That the two townships of land, situated in the county of Shawanaw, and State of Wisconsin, set apart for the use of the Stockbridge and Munsee tribe of Indians, shall, under direction of the Secretary of the Interior, be examined and appraised, by two or more disinterested appraisers to be selected by him, in eighty-acre lots, according to public survey; such appraisal shall state the quality of the soil, the quantity, quality, and value of the timber growing on each lot, estimating the pine timber at not less than one dollar per thousand,

and the value of all improvements, if any, made thereon, with the name of the owner of such improvements, as certified by the sachem and councillors of said tribe, and, when returned to the land office of the district in which said lands are situated, be subject to public inspection for at least thirty days before the day appointed for the sale of such lands, as hereinafter provided. One copy of said appraisal shall be made and returned to the land office of the district, and a duplicate thereof to the Secretary of the Interior, within six months from the passage of this act, and the person[s] appointed to make such appraisal shall be allowed such compensation for their services as may be fixed by the Secretary of the Interior. (a)

To be subject to public inspection.

Where to be returned.

Pay of appraisers.

SEC. 2. *And be it further enacted*, That the said two townships of land shall be advertised for sale, by notice of not less than three months, to be published in at least three newspapers of the district having general circulation, and shall be offered at public auction, at the nearest Government land office within the Green Bay agency, to the highest bidder, in lots of not exceeding eighty acres each, but shall not be sold for less than the appraised value thereof. None of said lands shall be subject to entry until they shall have been offered as aforesaid, and then only at the price fixed by such appraisal. All of said lands remaining unsold at the expiration of one year after they shall have been offered as aforesaid shall be again advertised and offered at public auction at the nearest Government land office within the Green Bay agency, at not less than the minimum of one dollar and twenty-five cents per acre, and thereafter shall be subject to private entry at the latter price, and shall in all cases be sold for cash only: *Provided, however*, That the Secretary of the Interior is hereby authorized to reserve from sale a quantity of said lands not exceeding eighteen contiguous sections, embracing such as are now actually occupied and improved, and are best adapted to agricultural purposes, subject to allotment to members of the Indian party of said tribe as hereinafter provided. (b)

The two townships to be advertised for sale at public auction.

Notice of time and place of sale.

Mode of sale.

Not subject to entry until, &c.

Lands unsold to be again offered for sale &c.

When subject to private entry.

To be sold for cash only.

Not over eighteen sections may be reserved from sale, subject, &c.

Proceeds of sale, how to be applied.

SEC. 3. *And be it further enacted*, That from the first proceeds of the sale of lands as provided in the second section of this act, shall be paid the expenses of appraisal and sale of said lands, the amount due to individuals for improvements as returned by the appraisers, and the amount of the debts contracted by the sachem and councillors for the benefit of said tribes, amounting to the sum of eleven thousand dollars, according to a schedule to be certified by them, and returned to the Commissioner of Indian Affairs.

SEC. 4. *And be it further enacted*, That, immediately after the returns shall be received at the General Land Office of the last public sale according to the provisions of this act, a statement shall be made up, under the direction of the Secretary of the Interior, exhibiting the gross amount of moneys realized from the sale of the said two townships of land, after deducting therefrom the sums appropriated by the preceding sections of this act, to which said amount shall be added the value of the lands remaining unsold of said two townships, estimating the same at sixty cents per acre; also the sum of six thousand dollars held in trust by the Government of the United States for the use of the Stockbridge and Munsee tribes of Indians, under the treaty of eighteen hundred and thirty-nine; and the total amount thereof shall constitute the entire sum of money due from the Government of the United States to the said Stockbridge and Munsee tribes of Indians, to be paid and appropriated for their benefit as hereinafter directed.

Statement to be made up showing whole amount due from the United States to the Stockbridge and Munsee Indians.

SEC. 5. *And be it further enacted*, That the sum of money thus found due to the said tribes shall be divided between the citizen and Indian parties of said tribes, in proportion to the number of each respectively, according to rolls thereof, made and returned in conformity with the provisions of this act to the Commissioner of Indian Affairs: That portion of said sum belonging to the citizen party shall be equally divided among them per capita, and paid to the heads of families, and adult members of said party; that portion of said sum belonging to the Indian party shall be placed to their credit on the books of the Treasurer of the United States, and bear interest at the rate of five per centum per annum, payable semi-annually, and said interest shall be applied to the support of schools, the purchase of agricultural implements, or paid in such other manner as the President may direct: *Provided, however*, That a part of said sum due the Indian party, not exceeding thirty thousand dollars, may, on the request of the sachem and councillors of said tribe, be expended in securing a new location for said tribe, and in removing

Amount found due the tribes, how to be divided.

Citizens.

Indian party.

Interest, how to be applied.

New location.

and aiding them to establish themselves in their new home; and in case of their procuring and removal to such new location, at any time, the said eighteen sections of land reserved for their use by the second section of this act shall be sold in the manner therein provided, and the proceeds thereof be placed to their credit as aforesaid.

Two rolls to be prepared.

Citizen roll, to include whom.

Indian roll.

Rolls to be signed, &c., certified, and returned to Commissioner of Indian Affairs.

Certain persons not to be entered on rolls.

Citizen roll to be held as a surrender by those thereon of all claims as members of tribe, &c.

The Indian party to be known as, &c.

Where to be located.

Adoption void, &c.

Reservation when obtained, &c., to be surveyed, subdivided, and allotted.

Heads of families.

Males.

Females.

Lands to be inalienable and how to descend.

Common reservation for church, school-house, &c.

Female to forfeit, if, &c.

Allotments to

SEC. 6. *And be it further enacted*, That, for the purpose of determining the persons who are members of said tribes and the future relation of each to the Government of the United States, there shall be prepared, under the direction of the Commissioner of Indian Affairs, or such person as may be selected by him to superintend the same, two rolls, one to be denominated the citizen roll, to embrace the names of all such persons of full age, and their families, as signify their desire to separate their relations with said tribe, and to become citizens of the United States; the other to be denominated the Indian roll, and to embrace the names of all such as desire to retain their tribal character and continue under the care and guardianship of the United States; which said rolls shall be signed by the sachem and councillors of said tribe, certified by the person superintending the same, and returned to the Commissioner of Indian Affairs, but no person of full age shall be entered upon said citizen roll without his or her full and free consent, personally given to the person superintending such enrollment; nor shall any person, or his or her descendants, be entered upon either of said rolls who may have heretofore separated from said tribe and received allotment of lands under the act of Congress for the relief of the Stockbridge tribe of Indians, of March third, eighteen hundred and forty-three, and amendment of August six, eighteen hundred and forty-six, or under the treaty of February five, eighteen hundred and fifty-six, or who shall not be of Stockbridge or Munsee descent. After the said rolls shall be made and returned as herein provided, the same shall be held as a full surrender and relinquishment on the part of the citizen party, each and every one of them, of all claims to be thereafter known or considered as members of said tribe, or in any manner interested in any provision heretofore or hereafter to be made by any treaty or law of the United States for the benefit of said tribes, and they and their descendants shall thenceforth be admitted to all the rights and privileges of citizens of the United States.

SEC. 7. *And be it further enacted*, That after the said rolls shall have been made and returned, the said Indian party shall thenceforth be known as the "Stockbridge tribe of Indians," and may be located upon lands reserved by the second section of this act, or such other reservation as may be procured for them, with the assent of the council of said tribe, and their adoption among them of any individual, not of Indian descent, shall be null and void.

SEC. 8. *And be it further enacted*, That as soon as practicable, after a suitable and permanent reservation shall be obtained and accepted by said tribe, either at their present home or elsewhere, the same shall, under the direction of the Secretary of the Interior, be surveyed and subdivided to correspond with the public survey, and the council of said tribe, under the superintendence of the agent of the United States, shall make a just and fair allotment of so much thereof (in compact form) as may be required among the individuals and families composing said tribe, as follows: Each head of a family consisting of four persons shall receive eighty acres of land, and if consisting of more than four persons, at the discretion of the council, eighty acres more may be assigned to him or her; each male person above the age of eighteen years, not included in any family, shall receive eighty acres; each female person above the age of eighteen years, not a member of any family, and each orphan child, shall receive forty acres; the lands assigned and allotted as aforesaid shall be held inalienable, and in case of the death of any person, his or her right thereto shall descend to his or her heirs, if members of said tribe, and if he or she dies without heirs capable of inheriting, the land shall revert to and become the common property of said tribe; there shall also be set apart and appropriated a lot, not exceeding forty acres, to be held as common property on which to erect a church, parsonage, school-house, and other improvements necessary for the accommodation of said tribe: *Provided*, That if any female shall marry out of said tribe, she shall thereby forfeit all right to hold any of said lands, as if deceased.

SEC. 9. *And be it further enacted*, That the allotments contemplated in the previous sections of this act shall be made, and a certified copy

thereof returned to the Commissioner of Indian Affairs, within one year be made, &c., after the reservation shall have been made and accepted by said tribe; within one year. and thereafter the title of the lands described therein shall be held by Title to be in the United States in trust for individuals and their heirs to whom the the United States same were allotted. The surplus lands embraced in such reservation in trust. remaining after making such allotments shall be held in like manner by Surplus lands after allotments. the United States, subject to be allotted to individuals of said tribe who may not have received any portion of said reservation, or to be disposed of for the common benefit of said tribe: *Provided*, That no No change, &c. change or addition shall be made in the allotment returned to the Com- in allotment un- missioner of Indian Affairs, unless the same shall be approved by the less, &c. Secretary of the Interior.

(a) See Nos. 617, 621, 663, 664, 669, 671, 693.

(b) See Nos. 389, 599, 601, 610, 616, 626, 627, 629, 630, 635, 644, 649, 650, 654, 656, 659, 663, 667, 680, 686, 694.

No. 680.—AN ACT to authorize the sale of certain lands reserved for the use of the Menomonee tribe of Indians, in the State of Wisconsin.

Feb. 13, 1871.
Vol. 16, p. 410.

Be it enacted, &c., That the Secretary of the Interior is hereby authorized to cause to be subdivided, appraised, and sold a portion of the lands, not exceeding six townships, reserved for the use of the Menomonee tribe of Indians, in the county of Shawanaw, and State of Wisconsin, as follows: The said lands shall be appraised by two or more disinterested appraisers, to be selected and appointed by said Secretary, in eighty-acre lots, according to the public survey. Such appraisal shall state the quality of the soil, the quality, quantity, and value of the timber growing on each lot; and, when returned to the land office of the district in which such lands are situated, shall be subject to public inspection for at least sixty days before the day appointed for the sale of said lands, as hereinafter provided. One copy of said appraisal shall be made and returned to the land office of the district in which such lands are situated within six months from the taking effect of this act, and a duplicate thereof to the Secretary of the Interior; and the persons appointed to make such appraisal shall receive such compensation for their services as may be fixed by the Secretary of the Interior.

Part of the lands reserved for the Menomonee Indians in Wisconsin to be appraised and sold. Appraisal to state what.

To be subject to public inspection.

Where to be returned.

Pay of appraisers.

SEC. 2. *And be it further enacted*, That the lands appraised as aforesaid shall be advertised for sale by notice of not less than three months, to be published in at least three newspapers of the said district having general circulation, and shall be offered, at public auction, at the nearest Government land office within the Green Bay agency, to the highest bidder, in lots of not exceeding eighty acres; but shall not be sold for less than the appraised value thereof. None of said lands shall be subject to private entry until the same shall have been offered as aforesaid, and then only at the price fixed by such appraisal. All of said lands remaining unsold at the expiration of one year after they shall have been offered as aforesaid shall be again advertised and offered, at public auction, at the nearest Government land office within the Green Bay agency, at not less than the minimum of one dollar and twenty-five cents per acre, and thereafter shall be subject to private entry at the latter price, and shall in all cases be sold for cash only. (a)

Such lands to be advertised for sale at public auction. Notice of time and place of sale. Mode of sale. Not subject to private entry until, &c. Lands unsold to be again offered for sale.

SEC. 3. *And be it further enacted*, That the townships thus selected for sale shall be in a compact body, and consist, if practicable, of unoccupied lands: *Provided*, That such portions of the same as may be occupied and improved, if any, by members of the tribe, not exceeding eighty acres to each settler, shall not be sold without the consent of the party in possession, but shall be valued as other subdivisions, the appraisers reporting separately the value of the improvements thereon; which tracts may then, with the consent of the occupants, be sold, and the price of the improvements paid over to the respective occupants.

When subject to private entry. To be sold for cash only. Lands selected for sale to be in a compact body. Improved lands, &c., not to be sold unless, &c.

SEC. 4. *And be it further enacted*, That from the first proceeds of the sale of lands, as hereinbefore provided, shall be paid the expenses of survey, appraisal, and sale thereof; and the residue of such proceeds shall be paid to or funded for the benefit of said tribe, in such manner as the President, with the assent of the chiefs and headmen of said tribe, may determine.

Proceeds of sale, how to be applied.

SEC. 5. *And be it further enacted*, That this act shall be and remain inoperative, as to the first five sections thereof, until full and satisfactory evidence shall have been placed on the files of the office of Com-

Act to be inoperative until, &c.

missioner of Indian Affairs that the sales herein authorized have the sanction of the tribe, evidenced by orders or agreement taken in full council.

(a) See Nos. 389, 599, 601, 610, 616, 626, 627, 629, 630, 635, 644, 649, 650, 654, 656, 659, 663, 667, 679, 686, 694.

March 3, 1871.
Vol. 16, p. 538.

No. 681.—AN ACT granting the right of way to the Green Bay and Lake Pepin Railway Company for its road across the Oneida reservation, in the State of Wisconsin.

Right of way across the Oneida reservation granted to the Green Bay and Lake Pepin Railroad Company.

Be it enacted, &c., That the Green Bay and Lake Pepin Railway Company be, and is hereby, authorized to build and maintain its railway across the Oneida reservation, in the State of Wisconsin, and to take sufficient land, not more than a strip one hundred feet in width, for the purposes of said railway, in accordance with and subject to the conditions of an agreement made by the chiefs and headmen of the Oneida tribe of Indians, on the twenty-third day of May, eighteen hundred and seventy, approved by and on file with the Secretary of the Interior. (a)

(a) See Nos. 544, 644, 654, 658, 659, 662, 666, 672, 675, 676, 685, 689, 692, 695.

March 1, 1872.
Vol. 17, p. 32.

No. 682.—AN ACT extending the time for the completion of the Green Bay and Sturgeon Bay and Lake Michigan ship canal, in the State of Wisconsin.

Time for completing Green Bay, &c., ship canal, extended.

Be it enacted &c., That the time for the completion of the Green Bay and Sturgeon Bay and Lake Michigan ship canal be, and the same is hereby, extended to the tenth day of April, anno Domini eighteen hundred and seventy-four. (a)

(a) See Nos. 665, 691.

April 24, 1872.
Vol. 17, p. 56.

No. 683.—AN ACT to extend the time for the completion of the military road from Fort Wilkins, at Copper Harbor, in the State of Michigan, to Fort Howard, at Green Bay, in the State of Wisconsin.

[See MICHIGAN, No. 571.]

May 9, 1872.
Vol. 17, p. 88.

No. 684.—AN ACT to extend the time of payment for their lands by persons holding pre-emptions on the public lands in the States of Minnesota, Wisconsin, and Michigan, and Territory of Dakota.

[See MINNESOTA, No. 1898.]

May 23, 1872.
Vol. 17, p. 160.

No. 685.—AN ACT to authorize the Chicago and Northwestern Railway Company to change their projected line of railway in the State of Michigan.

[See MICHIGAN, No. 573.]

May 29, 1872.
Vol. 17, p. 165.

No. 686.—AN ACT making appropriations for the current and contingent expenses, of the Indian Department, and for fulfilling treaty stipulations with various Indian tribes, for the year ending June thirty, eighteen hundred and seventy-three, and for other purposes.

Certain Chippewa Indians, with their consent, may be removed from their lands and located anew.

SEC. 8. That with the consent and concurrence of those bands of the Chippewa Indians of Lake Superior, located on Lac de Flambeau and on Lac Court Orielles, and also of the Fond du Lac bands of said Indians, expressed in open council in the usual manner, the Secretary of the Interior be, and hereby is, authorized to remove the said bands of Indians from the tracts of lands which were set apart for them respectively and withheld from sale for their use, in accordance with the third and fourth clauses of the second article of the treaty between the United States and the Chippewa Indians of Lake Superior and the Mississippi, concluded September thirtieth, eighteen hundred and fifty-four, and to locate said bands of Indians upon the tract of land set apart by the second clause of said article for the La Pointe band of said Chippewa Indians.

Vacant lands to be appraised, and by whom.

The lands rendered vacant under the preceding section of this act shall be appraised by three competent commissioners, one of whom shall be the United States agent for the said Chippewa Indians, and the other two

shall be appointed by the Secretary of the Interior, with the approval of the President. Should there be upon any of the lands to be thus appraised any improvements made by or for the Indians, or for Government purposes, the said commissioners shall appraise the said improvements separately. After the said lands shall have been appraised, as herein provided, the Secretary of the Interior shall be, and hereby is, authorized to offer the same at public sale to the highest bidder, in tracts not exceeding one hundred and sixty acres each, at such place in the congressional district in which said lands are situated as may be designated by the Secretary of the Interior, ninety days' notice of which shall be given by advertisement in at least three newspapers of general circulation published in said congressional district; and if not sold at public sale, it may be sold in tracts of not exceeding one hundred and sixty acres to one person, at not less than the appraised value, and upon payment therefor to cause patents in the usual form to be issued to said purchaser or purchasers for said lands: *Provided*, That no bid for separate tracts shall be accepted which may be less than the appraised value of such tract, including the improvements, if any, thereon: *And provided further*, That bids for tracts having improvements upon them shall state the price for both the land and the improvements. The proceeds of such sales shall be invested or expended for the benefit of the Indians interested, in such manner as the Secretary of the Interior, subject to the approval of the President, may direct. (a)

Improvements.

After appraisement lands to be offered at public sale, &c.

If not sold at public sale, how to be disposed of.

Bids for less than appraised value not to be accepted.

Improvements. Proceeds of sales, how to be invested.

The commissioners to be appointed by the Secretary of the Interior, under the provisions of this act, shall receive compensation for their services at the rate of six dollars for each day actually engaged in the duties herein designated, in addition to the amount paid by them for actual travelling and other necessary expenses.

Pay of commissioners.

The sum of seventy-five thousand dollars, or so much thereof as may be necessary, be, and hereby is, appropriated, out of any moneys in the Treasury not otherwise appropriated, to be expended under the direction of the Secretary of the Interior, for the appraisement and sale of the said reservations and for the removal and establishment of said Indians, as hereinbefore provided, the sum so expended to be reimbursed from the proceeds of the sales of the lands of said Indians authorized by this act.

Appropriation for expenses of appraisement and sale.

Sum to be reimbursed.

(a) See Nos. 389, 599, 601, 610, 616, 626, 627, 629, 630, 635, 644, 649, 650, 654, 656, 659, 663, 667, 679, 680, 694.

No. 687.—AN ACT relative to homestead settlers burned out in the States of Minnesota, Wisconsin, and Michigan.

June 8, 1872.
Vol. 17, p. 337.

[See MINNESOTA, No. 1900.]

No. 688.—AN ACT in relation to mineral lands.

Feb. 18, 1873.
Vol. 17, p. 465.

[Mines of iron and coal and mineral lands in Wisconsin, &c., not included in act of 1872. See MICHIGAN, No. 577.]

No. 689.—AN ACT to quiet the title to the lands of the settlers on lands claimed by the West Wisconsin Railway Company.

March 3, 1873.
Vol. 17, p. 634.

Whereas, by the neglect of the Commissioner of the General Land Office to have the lands withdrawn from market embraced in the grant of lands from the town of Pomah to the city of Hudson, in the State of Wisconsin, as soon as the West Wisconsin Railway Company (to which company the said grant belongs) had finally located its road and filed the map of such location, a large amount of lands—about twenty thousand acres—were taken up under the homestead laws and otherwise entered: Therefore,

Preamble.

Be it enacted, &c., That provided said West Wisconsin Railway Company shall waive and release all claims to any lands taken up under the homestead laws or otherwise entered after the final location of their road, as aforesaid, it shall be lawful for said company to make up any such deficiency in their grant, not however to exceed twenty thousand acres, from the vacant odd-numbered sections from the southeastern part or portion of the indemnity limits of the former grant for the branch roads from the said city of Hudson to Lake Superior. (a)

The West Wisconsin Railway Company may make up a deficiency in their land grant, from, &c.

(a) See Nos. 544, 644, 654, 658, 659, 662, 666, 672, 675, 676, 681, 685, 692, 695.

March 3, 1873. **No. 690.**—AN ACT confirming the title of Louis Grignon to a certain tract of land at Green Bay, Wisconsin.

Title of Louis Grignon to certain land in Wisconsin. *Be it enacted, &c.,* That the claim of Louis Grignon, to a certain tract of land at Green Bay, Wisconsin, situated in township twenty-four north, of range twenty east of the fourth principal meridian, lying on the west bank of Fox River, between the claim of Alexis Gardapier, as confirmed and finally surveyed, and the claim of said Louis Grignon, as surveyed and patented, (said tract having been excluded from the final survey of the said claim of Louis Grignon because within the former Fort Howard military reservation,) be, and the same is hereby confirmed, and the Commissioner of the General Land Office is hereby authorized to cause the said tract of land to be surveyed at the expense of the parties in interest, and to issue a patent therefor in favor of the said Louis Grignon, subject to such legal transfers or assignments as may have been made by him or by his heirs or assigns according to the provisions of the fifth section of the act of Congress approved February twenty-first, eighteen hundred and twenty-three, entitled "An act to revive and continue in force certain acts for the adjustment of land claims in the Territory of Michigan;" such survey and patent to be held as a relinquishment on the part of the United States, and as in no way impairing any valid adverse rights, if such exist. (a)

(a) See Nos. 464, 466, 595, 596, 638, 645, 646, 652, 655, 670.

March 7, 1874. **No. 691.**—AN ACT extending the time for the completion of the Green Bay and Sturgeon Bay and Lake Michigan ship canal, in the State of Wisconsin.

Green Bay, &c., ship canal. *Be it enacted, &c.,* That the time for the completion of the Green Bay and Sturgeon Bay and Lake Michigan ship canal be, and the same is hereby, extended to the tenth day of April, eighteen hundred and seventy-six. (a)

(a) See Nos. 665, 682.

April 9, 1874. **No. 692.**—AN ACT to extend the time for completing the Wisconsin Central Railroad in Wisconsin.

Extension of time for completing Wisconsin Central Railroad. *Be it enacted, &c.,* That the time specified in the ninth section of the act of Congress approved May fifth, eighteen hundred and sixty-four, entitled "An act granting lands to aid in the construction of certain railroads in the State of Wisconsin," for the completion of the road mentioned in the third section of said act, and for the reversion to the United States of the lands granted by said act, to aid in the construction of said road, be, and the same is hereby, extended until the thirty-first day of December, eighteen hundred and seventy-six. (a)

(a) See Nos. 544, 644, 654, 658, 659, 662, 666, 672, 675, 676, 681, 685, 689, 695.

June 22, 1874. **No. 693.**—AN ACT making appropriations for the current and contingent expenses of the Indian Department, and for fulfilling treaty stipulations with various Indian tribes, for the year ending June 30, 1875, and for other purposes.

Secretary of the Interior to credit Stockbridge and Munsee tribe of Indians with stipulated price of certain lands remaining unsold. Proviso. *For this amount, to enable the Secretary of the Interior to carry out the provisions of the fourth section of the act entitled "An act for the relief of the Stockbridge and Munsee tribe of Indians in the State of Wisconsin," approved February sixth, eighteen hundred and seventy-one, by causing to be credited to said tribe the estimated value, at sixty cents an acre, of eleven thousand eight hundred and three acres of land remaining unsold of the two townships referred to in said act: Provided, That the expenses of enrollment and payment required by the provisions of said act shall be defrayed from the amount hereby appropriated, seven thousand and eighty-one dollars and eighty cents. (a)*

(a) See Nos. 617, 621, 663, 664, 669, 674, 679.

No. 694.—AN ACT relating to the disposition of certain lands to be reclaimed in sections fourteen, twenty-three, and twenty-six, in township sixteen north, of range twenty, in the county of Sheboygan, in the State of Wisconsin.

Dec. 31, 1874.
Vol. 18, p. 293.

Be it enacted, &c., That so much of the bed of the marsh or pond in sections fourteen, twenty-three, and twenty-six, in township sixteen north, of range twenty east of the fourth principal meridian, in the county of Sheboygan, in the State of Wisconsin, as shall or may be reclaimed by draining the water from the same, shall be owned and held, so far as any rights or interests of the United States are concerned, by the owners of the lands abutting upon said marsh or pond, and draining the same to the centre or thread thereof, and divided among the several owners adjoining and abutting said marsh or pond, according to the rules of law, upon payment by said adjoining owners into the Treasury of the United States of one dollar and twenty-five cents per acre for the amount of land that has been or may be so reclaimed. (a)

Release of certain swamp lands in Sheboygan County, Wisconsin, at \$1.25 per acre, when drained.

(a) See Nos. 389, 599, 601, 610, 616, 626, 627, 629, 630, 635, 644, 649, 650, 654, 656, 659, 663, 667, 679, 680, 686.

No. 695.—AN ACT authorizing the Wisconsin Central Railroad Company to straighten the line of their road.

March 3, 1875.
Vol. 18, p. 511.

Be it enacted, &c., That the consent and approval of Congress are hereby given to the Wisconsin Central Railroad Company to build that portion of their road which lies between Portage City and Stevens Point on the line adopted by the act of the legislature of Wisconsin, approved February tenth, eighteen hundred and seventy-five, instead of the line adopted by the act of the legislature of Wisconsin, April ninth, eighteen hundred and sixty-six, chartering the Portage and Superior Railroad Company: *Provided*, That no portion of the lands belonging to said grant situated south of Stevens Point, and which may be found outside of the ten-mile limits, measured from the modified line of said road, shall pass to said company under its grant, but such lands shall revert to the United States and become part of the public domain, to be disposed of as other public lands, and the acceptance of the provisions of this act by said company shall be held to be a relinquishment of the same; *And provided further*, That this act shall not be construed as increasing said grant, or as granting to said company and [any] lands whatever. (a)

Wisconsin Central Railroad Company may change line.

Lands outside of ten miles limit of modified line.

No new grant by this act.

(a) See Nos. 544, 644, 654, 658, 659, 662, 666, 672, 675, 676, 681, 685, 689, 692.

No. 696.—AN ACT granting to the city of Stevens Point, Wisconsin a certain piece of land.

March 2, 1877.
Vol. 19, p. 270.

Whereas, there is situated in the Wisconsin River, within the city of Stevens Point, Wisconsin, a small island containing less than one square acre of land, which has for many years been used for the storage of powder and other combustible or inflammable goods, and the people of said city are desirous that the said island be granted to the city for that purpose: Therefore,

Preamble.

Be it enacted, &c., That the Commissioner of the General Land Office of the United States be, and he is hereby, instructed to cause to be patented to the city of Stevens Point, Wisconsin, the following described piece of land, to wit, the island in the Wisconsin River, within the corporate limits of the city of Stevens Point, Wisconsin, in section thirty-one, township numbered twenty-four north, in range eight east, of the fourth principal meridian in said State.

Stevens Point, Wis., to have patent for certain lands.

No. 697.—AN ACT to authorize the issue of a patent of certain lands in the Brothertown reservation, in the State of Wisconsin, to the persons selected by the Brothertown Indians.

April 20, 1878.
Vol. 20, p. 513.

Be it enacted, &c., That the Commissioner of the General Land Office be, and he is hereby, authorized to give full title to the Brothertown Indians of all the township of land, containing twenty-three thousand and forty acres of land, lying on the east side of Winnebago Lake, in the State of Wisconsin, which, by the provision of a treaty made with the Menomonee Indians, on the seventeenth day of February, eighteen hundred and thirty-one, and ratified on the ninth day of July, eighteen

Brothertown Indians. Full title of certain lands to.

hundred and thirty-two, was reserved for the use of the Brothertown Indians, and which, by a subsequent treaty with the Menomonees, bearing date October twenty-seventh, eighteen hundred and thirty-two, and ratified the thirteenth day of March, eighteen hundred and thirty-three, was further secured to the Brothertown Indians, the right to have the same partitioned, divided and held by them separately and severally in fee-simple.

Patent to be issued to trustees.

Lands may be sold.

At public auction.

Advertisement.

Distribution of proceeds.

SEC. 2. That for such purpose, the Commissioner of the General Land Office is hereby fully directed, empowered, and authorized to make and issue a patent of all the lands contained in said township which are now unpatented to Laton Dick, senior, Lucius S. Fowler, David Fowler, and Orrin G. Johnson, residents of Brothertown, Calumet County, and State of Wisconsin, and members of the Brothertown tribe, in trust for the Brothertown Indians: *Provided, however,* That said lands, or any part thereof, shall be sold by said trustees whenever a majority of said Brothertown tribe shall petition for the same; such sale to be made at public auction and to the highest and best bidder in cash therefor, after first giving sixty days' notice of such sale by advertisement in some newspaper published in Calumet County, State of Wisconsin; such advertisement to state the time and place of sale, the terms of sale, and a description of the land to be sold. And the said trustees shall distribute and pay over the proceeds arising from such sale or sales to the Brothertown Indians, according to the former usages, customs, and regulations of said tribe. (a)

(a) See No. 611.

LOUISIANA.

No. 698.—AN ACT to enable the President of the United States to take possession of the territories ceded by France to the United States, by the treaty concluded at Paris, on the thirtieth of April last; and for the temporary government thereof.

Oct. 31, 1803.
Vol. 2, p. 245.

Be it enacted, &c., That the President of the United States be, and he is hereby authorized to take possession of, and occupy the territory ceded by France to the United States, by the treaty concluded at Paris, on the thirtieth day of April last, between the two nations; and that he may for that purpose, and in order to maintain in the said territories the authority of the United States, employ any part of the Army and Navy of the United States, and of the force authorized by an act passed the third day of March last, intituled "An act directing a detachment from the militia of the United States, and for erecting certain arsenals," which he may deem necessary: and so much of the sum appropriated by the said act as may be necessary, is hereby appropriated for the purpose of carrying this act into effect; to be applied under the direction of the President of the United States.

Louisiana to be taken possession of by the President of the United States.

Authority of the United States in Louisiana established.

Act of March 3, 1803. Appropriations.

SEC. 2. *And be it further enacted,* That until the expiration of the present session of Congress, unless provision for the temporary government of the said territories be sooner made by Congress, all the military, civil and judicial powers, exercised by the officers of the existing government of the same, shall be vested in such person and persons, and shall be exercised in such manner, as the President of the United States shall direct for maintaining and protecting the inhabitants of Louisiana in the free enjoyment of their liberty, property and religion. (a)

All the military, civil, and judicial powers exercised by the officers of the existing government to be exercised as the President may direct for the protection of the inhabitants.

(a) See Nos. 699, 702, 707, 709, 714, 715, 762.

No. 699.—AN ACT erecting Louisiana into two Territories, and providing for the temporary government thereof.

March 26, 1804.
Vol. 2, p. 283.

Be it enacted, &c., That all that portion of country ceded by France to the United States, under the name of Louisiana, which lies south of the Mississippi Territory, and of an east and west line to commence on the Mississippi River, at the thirty-third degree of north latitude, and to extend west to the western boundary of the said cession, shall constitute a Territory of the United States, under the name of the Territory of Orleans.

Lands south of the Mississippi Territory in Louisiana made the Territory of Orleans.

SEC. 12. The residue of the province of Louisiana, ceded to the United States, shall be called the District of Louisiana,

The remaining part of Louisiana made a separate district.

SEC. 14. *And be it further enacted,* That all grants for lands within the territories ceded by the French Republic to the United States, by the treaty of the thirtieth of April, in the year one thousand eight hundred and three, the title whereof was, at the date of the treaty of St. Ildefonso, in the crown, government or nation of Spain, and every act and proceeding subsequent thereto, of whatsoever nature, towards the obtaining any grant, title, or claim to such lands, and under whatever authority transacted, or pretended, be, and the same are hereby declared to be, and to have been from the beginning, null, void, and of no effect in law or equity. *Provided, nevertheless,* that any thing in this section contained shall not be construed to make null and void any bona-fide grant, made agreeably to the laws, usages and customs of the Spanish Government to an actual settler on the lands so granted, for himself, and for his wife and family; or to make null and void any bona-fide act or proceeding done by an actual settler agreeably to the laws, usages and customs of the Spanish Government, to obtain a grant for lands actually settled on by the person or persons claiming title thereto, if such settlement in either case was actually made prior to the twentieth day of December, one thousand eight hundred and three: *And provided further,* that such grant shall not secure to the grantee or

Certain grants for lands in the territories ceded to the United States which were in the crown of Spain at the time of the treaty of St. Ildefonso declared void.

Proviso. Grants to actual settlers excepted.

Proviso.

Limitation of such grants. of his assigns more than one mile square of land, together with such other and further quantity as heretofore hath been allowed for the wife and family of such actual settler, agreeably to the laws, usages and cus-

Prohibition of settlements on the lands of the United States. toms of the Spanish Government. And that if any citizen of the United States, or other person, shall make a settlement on any lands belonging to the United States, within the limits of Louisiana, or shall survey, or attempt to survey, such lands, or to designate boundaries by marking trees, or otherwise, such offender shall, on conviction thereof, in any court of record of the United States, or the Territories of the United States, forfeit a sum not exceeding one thousand dollars, and suffer imprisonment not exceeding twelve months; and it shall, moreover, be lawful for the President of the United States to employ such military force as he may judge necessary to remove from lands belonging to the United States any such citizen or other person, who shall attempt a settlement thereon. (b)

President authorized to enter into certain agreements with the Indian tribes, owning lands on the east side of the Mississippi. SEC. 15. The President of the United States is hereby authorized to stipulate with any Indian tribes owning lands on the east side of the Mississippi, and residing thereon, for an exchange of lands, the property of the United States, on the west side of the Mississippi, in case the said tribes shall remove and settle thereon; but in such stipulation, the said tribes shall acknowledge themselves to be under the protection of the United States, and shall agree that they will not hold any treaty with any foreign power, individual State, or with the individuals of any State or power; and that they will not sell or dispose of the said lands, or any part thereof, to any sovereign power, except the United States, nor to the subjects or citizens of any other sovereign power, nor to the citizens of the United States. And in order to maintain peace and tranquillity with the Indian tribes who reside within the limits of Louisiana, as ceded by France to the United States, the act of Congress, passed on the thirtieth day of March, one thousand eight hundred and two, intituled "An act to regulate trade and intercourse with the Indian tribes, and to preserve peace on the frontiers," is hereby extended to the Territories erected and established by this act; and the sum of fifteen thousand dollars of any money in the Treasury not otherwise appropriated by law, is hereby appropriated to enable the President of the United States to effect the object expressed in this section.

The act to regulate trade, &c., and to preserve peace on the frontiers, extended to the territory ceded by France to the United States. SEC. 16. The act, passed on the thirty-first day of October, one thousand eight hundred and three, intituled "An act to enable the President of the United States to take possession of the territories ceded by France to the United States, by the treaty concluded at Paris, on the thirtieth day of April last, and for the temporary government thereof," shall continue in force until the first day of October next, any thing therein to the contrary notwithstanding; on which said first day of October, this act shall commence, and have full force, and shall continue in force for and during the term of one year, and to the end of the next session of Congress which may happen thereafter.

Limitation of a former and the commencement of this act. SEC. 16. The act, passed on the thirty-first day of October, one thousand eight hundred and three, intituled "An act to enable the President of the United States to take possession of the territories ceded by France to the United States, by the treaty concluded at Paris, on the thirtieth day of April last, and for the temporary government thereof," shall continue in force until the first day of October next, any thing therein to the contrary notwithstanding; on which said first day of October, this act shall commence, and have full force, and shall continue in force for and during the term of one year, and to the end of the next session of Congress which may happen thereafter.

This act to be in force on October 1, 1804, and to continue for one year. SEC. 16. The act, passed on the thirty-first day of October, one thousand eight hundred and three, intituled "An act to enable the President of the United States to take possession of the territories ceded by France to the United States, by the treaty concluded at Paris, on the thirtieth day of April last, and for the temporary government thereof," shall continue in force until the first day of October next, any thing therein to the contrary notwithstanding; on which said first day of October, this act shall commence, and have full force, and shall continue in force for and during the term of one year, and to the end of the next session of Congress which may happen thereafter.

(a) See Nos. 698, 702, 707, 709, 714, 715, 762.

(b) See Nos. 701, 703, 704, 705, 708, 710, 712, 716, 718, 721, 722, 723, 724, 728, 731, 732, 737, 738, 739, 740, 745, 746, 749, 752, 753, 777, 790, 817, 819, 826, 852, 863, 864, 873, 889, 899, 904, 911, 946, 956, 957, 961, 967.

March 27, 1804. Vol. 2, p. 303. No. 700.—AN ACT supplementary to the act intituled "An act regulating the grants of land, and providing for the disposal of the lands of the United States, south of the State of Tennessee."

Major-General La Fayette authorized to make his location upon public lands in the Territory of Orleans. SEC. 14. And be it further enacted, That Major-General La Fayette be, and he is hereby authorized and empowered to locate and survey the lands allowed him by the fourth section of an act, intituled "An act to revive and continue in force an act in addition to an act, intituled an act in addition to an act, regulating the grants of land appropriated for military services, and for the Society of United Brethren for propagating the Gospel among the Heathen, and for other purposes," on any lands the property of the United States, in the Territory of Orleans; and on presenting the surveys of the said land to the Secretary of the Treasury, the President of the United States is hereby authorized to issue letters-patent to the said Major-General La Fayette for the quantity of lands allowed by the said act. (a)

(a) See Nos. 32, 701, 704, 708, 742a, 869.

No. 701.—AN ACT for ascertaining and adjusting the titles and claims to land, within the Territory of Orleans, and the District of Louisiana.

March 2, 1805.
Vol. 2 p. 324.

Be it enacted, &c., That any person or persons, and the legal representatives of any person or persons, who on the first day of October, in the year one thousand eight hundred, were resident within the territories ceded by the French Republic to the United States, by the treaty of the thirtieth of April, one thousand eight hundred and three, and who had prior to the said first day of October, one thousand eight hundred, obtained from the French or Spanish Governments respectively, during the time either of the said governments had the actual possession of said territories, any duly registered warrant, or order of survey for lands lying within the said territories to which the Indian title had been extinguished, and which were on that day actually inhabited and cultivated by such person or persons, or for his or their use, shall be confirmed in their claims to such lands in the same manner as if their titles had been completed: *Provided however*, That no such incomplete title shall be confirmed, unless the person in whose name such warrant or order of survey had been granted, was at the time of its date, either the head of a family, or above the age of twenty-one years: nor unless the conditions and terms on which the completion of the grant might depend, shall have been fulfilled.

SEC. 2. *And be it further enacted*, That to every person, or to the legal representative or representatives of every person, who being either the head of a family, or twenty-one years of age, had prior to the twentieth day of December, one thousand eight hundred and three, with the permission of the proper Spanish officer, and in conformity with the laws, usages and customs of the Spanish Government, made an actual settlement on a tract of land within the said territories, not claimed by virtue of the preceding section, or of any Spanish or French grant made and completed before the first day of October, one thousand eight hundred, and during the time the government which made such grant had the actual possession of the said territories, and who did on the said twentieth day of December, one thousand eight hundred and three, actually inhabit and cultivate the said tract of land; the tract of land thus inhabited and cultivated, shall be granted: *Provided however*, That not more than one tract shall be thus granted to any one person, and the same shall not contain more than one mile square, together with such other and further quantity, as heretofore has been allowed for the wife and family of such actual settler, agreeably to the laws, usages and customs of the Spanish Government: *Provided also*, That this donation shall not be made to any person who claims any other tract of land in the said territories by virtue of any French or Spanish grant. (a)

SEC. 3. *And be it further enacted*, That for the purpose of more conveniently ascertaining the titles and claims to land in the territory ceded as aforesaid, the Territory of Orleans shall be laid off into two districts, in such manner as the President of the United States shall direct; in each of which, he shall appoint, in the recess of the Senate, but who shall be nominated at their next meeting, for their advice and consent, a register; who shall receive the same annual compensation, give security in the same manner, and in the same sums, and whose duties and authorities shall in every respect be the same in relation to the lands which shall hereafter be disposed of at their offices, as are by law provided with respect to the registers in the several offices established for the disposal of the lands of the United States, north of the river Ohio, and above the mouth of Kentucky River. The President of the United States shall likewise appoint a recorder of land titles in the District of Louisiana, who shall give security in the same manner, and in the same sums, and shall be entitled to the same annual compensation, as the registers of the several land offices. (b)

SEC. 4. *And be it further enacted*, That every person claiming lands in the above-mentioned territories, by virtue of any legal French or Spanish grant, made and completed before the first day of October, one thousand eight hundred, and during the time the government which made such grant had the actual possession of the territories, may, and every person claiming lands in the said territories, by virtue of the two first sections of this act, or by virtue of any grant or incomplete title, bearing date subsequent to the first day of October, one thousand eight hundred, shall, before the first day of March, one thousand eight hundred and six, deliver to the register of the land office, or recorder of land titles, within whose district the land may be, a notice in writing, stating the

The titles of persons residing in the ceded territories on 1st Oct., 1800, who held lands under French or Spanish grants, to which the Indian title has been extinguished, and which were settled or occupied on that day for or by these persons, confirmed.

No such incomplete title to be confirmed unless the grantee was at its date the head of a family, or above the age of twenty-one years; nor unless the condition of the grant shall have been fulfilled.

Grants to actual settlers of the lands occupied by them, with the permission of the proper Spanish officer, and in conformity with the Spanish usages, &c.

No more than one tract to be granted to such person, and not to exceed one mile square.

This donation not to be made to any one who claims any other under a French or Spanish grant.

Territory of Orleans to be laid off into two districts, for the ascertainment of land titles therein.

A register to be appointed for this purpose in each.

His compensation, duties, &c.

A recorder of land titles to be appointed for Louisiana District.

His compensation, &c.

Persons claiming lands under French or Spanish grants, &c., to have their claims recorded, &c.

Record to be made before the first day of March, 1806.

By whom the foregoing claims are to be recorded, and the officer's fees.

Where lands are claimed by virtue of a complete French or Spanish grant, no other evidence of the claim to be recorded, but the original grant or patent. Other deeds to be deposited with the register, and laid before the commissioners.

Failure to deliver notice and to record, to work forfeiture, &c.

Register and recorder to commence the execution of their offices on or before the 1st September, 1805.

Commissioners to be appointed for the District of Louisiana, and the districts to be laid off under this act for ascertaining land titles, &c.

The oath of office which they must take.

Commissioners to meet in their respective districts at such places as may be the residence of the recorders, registers, &c. on or before the 1st December, and not to adjourn until they shall have finished their business.

Powers of the boards of commissioners.

To administer oaths, compel the attendance of witnesses, demand all public records of grants of land.

To take transcripts of records.

To decide summarily according to justice and equity on all complete titles under French or Spanish grants.

nature and extent of his claims, together with a plat of the tract or tracts claimed; and shall also, on or before that day, deliver to the said register or recorder, for the purpose of being recorded, every grant, order of survey, deed, conveyance, or other written evidence of his claim; and the same shall be recorded by the register or recorder, or by the translator herein after mentioned, in books to be kept by them for that purpose, on receiving from the parties at the rate of twelve and an half cents for every hundred words contained in such written evidence of their claim: *Provided, however,* That where lands are claimed by virtue of a complete French or Spanish grant as aforesaid, it shall not be necessary for the claimant to have any other evidence of his claim recorded, except the original grant or patent, together with the warrant, or order of survey, and the plat; but all the other conveyances or deeds shall be deposited with the register or recorder, to be by them laid before the commissioners herein after directed to be appointed, when they shall take the claim into consideration. And if such person shall neglect to deliver such notice in writing of his claim, together with a plat as aforesaid, or cause to be recorded such written evidence of the same, all his right, so far as the same is derived from the two first sections of this act, shall become void, and for ever thereafter be barred; nor shall any incomplete grant, warrant, order of survey, deed of conveyance, or other written evidence, which shall not be recorded as above directed, ever after be considered or admitted as evidence in any court of the United States, against any grant derived from the United States. The said register and recorder shall commence the duties hereby enjoined on them, on or before the first day of September next, and continue to discharge the same, at such place in their respective districts, as the President of the United States shall direct.

SEC. 5. *And be it further enacted,* That two persons to be appointed by the President alone, for the District of Louisiana, and two persons to be in the same manner appointed for each of the districts directed by this act to be laid off in the Territory of Orleans, shall, together with the register or recorder of the district for which they may be appointed, be commissioners for the purpose of ascertaining within their respective districts, the rights of persons claiming under any French or Spanish grant as aforesaid, or under the two first sections of this act. The said commissioners shall, previous to their entering on the duties of their appointment, respectively take and subscribe the following oath or affirmation, before some person qualified to administer the same: "I

do solemnly swear, (or affirm,) that I will impartially exercise and discharge the duties imposed on me by an act of Congress, intitled 'An act for ascertaining and adjusting the titles and claims to land within the Territory of Orleans, and the District of Louisiana,' to the best of my skill and judgment." It shall be the duty of the said commissioners to meet in their respective districts, at such place as the President shall have directed therein, for the residence of the register or recorder, on or before the first day of December next, and they shall not adjourn to any other place, nor for a longer time than three days, until the first day of March, one thousand eight hundred and six, and until they shall have completed the business of their appointment. Each board, or a majority of each board, shall, in their respective districts, have power to hear and decide in a summary manner, all matters respecting such claims, also to administer oaths, to compel the attendance of, and examine witnesses, and such other testimony as may be adduced, to demand and obtain from the proper officer and officers, all public records, in which grants of land, warrants, or orders of survey, or any other evidence of claims to land, derived from either the French or Spanish Governments, may have been recorded; to take transcripts of such record or records, or of any part thereof; to have access to all other records of a public nature, relative to the granting, sale, transfer, or titles of lands, within their respective districts; and to decide in a summary way, according to justice and equity, on all claims filed with the register or recorder, in conformity with the provisions of this act, and on all complete French or Spanish grants, the evidence of which, though not thus filed, may be found of record on the public records of such grants; which decisions shall be laid before Congress in the manner herein after directed, and be subject to their determination thereon: *Provided however,* That nothing in this act contained, shall be construed so as to recognize any grant or incomplete title, bearing date subsequent to the first day of October, one thousand eight hundred, or to authorize

the commissioners aforesaid to make any decision thereon. The said boards respectively shall have power to appoint a clerk, whose duty it shall be to enter in a book to be kept for that purpose, full and correct minutes of their proceedings and decisions, together with the evidence on which such decisions are made, which books and papers, on the dissolution of the boards, shall be deposited in the respective offices of the registers of the land offices, or of the recorder of land titles of the district; and the said clerk shall prepare two transcripts of all the decisions made by the commissioners in favour of the claimants to land; both of which shall be signed by a majority of the said commissioners, and one of which shall be transmitted to the officer exercising in the district the authority of surveyor-general; and the other to the Secretary of the Treasury. It shall likewise be the duty of the said commissioners, to make to the Secretary of the Treasury a full report of all the claims filed with the register of the proper land office, or recorder of land titles, as above directed, which may have been rejected, together with the substance of the evidence adduced in support thereof, and such remarks thereon as they may think proper; which reports, together with the transcripts of the decisions of the commissioners in favour of the claimants, shall be laid by the Secretary of the Treasury before Congress, at their next ensuing meeting. When any Spanish or French grant, warrant, or order of survey, as aforesaid, shall be produced to either of the said boards, for lands, which were not at the date of such grant, warrant, or order of survey, or within one year thereafter, inhabited, cultivated, or occupied, by or for the use of the grantee; or whenever either of the said boards shall not be satisfied that such grant, warrant, or order of survey, did issue at the time when the same bears date, but that the same is antedated or otherwise fraudulent; the said commissioners shall not be bound to consider such grant, warrant, or order of survey, as conclusive evidence of the title, but may require such other proof of its validity as they may deem proper. Each of the commissioners and clerks aforesaid, shall be allowed a compensation of two thousand dollars in full for his services as such; and each of the said clerks shall, previous to his entering on the duties of his office, take and subscribe the following oath or affirmation, to wit: "I do solemnly swear, (or affirm,) that I will truly and faithfully discharge the duties of a clerk to the board of commissioners, for examining the claims to land, as enjoined by an act of Congress, intituled 'An act ascertaining and adjusting the titles and claims to land within the Territory of Orleans, and the District of Louisiana.'" Which oath or affirmation shall be entered on the minutes of the board.

SEC. 6. *And be it further enacted*, That the Secretary of the Treasury shall be, and he is hereby authorized to employ three agents, one for each board, and whose compensation shall not exceed one thousand five hundred dollars each, for the purpose of appearing before the commissioners, in behalf of the United States, to investigate the claims for lands, and to oppose all such as said agents may deem fraudulent and unfounded. It shall also be the duty of the said agent for the District of Louisiana, to examine into and investigate the titles and claims, if any there be, to the lead mines within the said district, to collect all the evidence within his power, with respect to the claims to, and value of the said mines, and to lay the same before the commissioners, who shall make a special report thereof, with their opinions thereon, to the Secretary of the Treasury, to be by him laid before Congress, at their next ensuing session. The said board of commissioners shall each be authorized to employ a translator of the Spanish and French languages, to assist them in the despatch of the business which may be brought before them, and for the purpose of recording Spanish and French grants, deeds, or other evidences of claims on the registers' books. The said translator shall receive, for the recording done by him, the fees already provided by law, and may be allowed, not exceeding fifty dollars, for every month he shall be employed; provided that the whole compensation, other than that arising from fees, shall not exceed six hundred dollars. (a)

SEC. 7. *And be it further enacted*, That the powers vested by law in the surveyor of the lands of the United States, south of the State of Tennessee, shall extend over all the public lands of the United States, to which the Indian title has been, or shall hereafter be, extinguished, within the said Territory of Orleans; and it shall be the duty of the said surveyor to cause such of the said lands, as the President of the

Decisions of the boards to be laid before Congress.

No title under a grant subsequent to October 1, 1800, to be recognized.

The boards to appoint a clerk.

His duties.

Transcripts of decisions in favor of claimants to be delivered to the surveyor-general, and the Secretary of the Treasury.

Reports of rejected claims likewise to be made, and filed in the proper land office, and to be laid by the Secretary of the Treasury before Congress.

Grants antedated or otherwise defective, not to be considered as conclusive evidence of title.

Compensations of the commissioners' clerks, &c.

Their oaths of office, &c.

Agents to be employed for each board of commissioners.

Their compensations not to exceed \$1,500 each.

Their duties.

Agent for the District of Louisiana to collect information concerning the title to the lead mines, and lay it before the commissioners.

Board of commissioners to employ a translator, to assist in the despatch of business, and to record Spanish or French claims, &c.

Fees to the translator.

Powers of the surveyor of lands south of the State of Tennessee to extend over those of the United States, &c.

Made his duty to cause these lands to be surveyed and divided. United States shall expressly direct, to be surveyed, and divided, as nearly as the nature of the country will admit, in the same manner, and under the same regulations as is provided by law, in relation to the lands of the United States northwest of the river Ohio, and above the mouth of Kentucky River. (c)

Gen. La Fayette's locations.

How and where to be made.

Proviso.

Appropriation for carrying this law into effect.

SEC. 8. *And be it further enacted*, That the location, or locations of lands which Major-General La Fayette is by law authorized to make on any lands, the property of the United States, in the Territory of Orleans, shall be made with the register or registers of the land offices established by this act in the said Territory: the surveys thereof shall be executed under the authority of the surveyor of the lands of the United States, south of Tennessee; and a patent or patents therefor shall issue, on presenting such surveys to the Secretary of the Treasury, together with a certificate of the proper register, or registers, stating that the land is not rightfully claimed by any other person: *Provided*, That no location or survey made by virtue of this section shall contain less than one thousand acres, nor include any improved lands or lots, salt spring or lead mine. (d)

SEC. 9. *And be it further enacted*, That a sum not exceeding fifty thousand dollars, to be paid out of any unappropriated monies in the Treasury, be, and the same is hereby appropriated for the purpose of carrying this act into effect.

(a) See Nos. 699, 703, 704, 705, 708, 710, 712, 716, 718, 721, 722, 723, 724, 728, 731, 732, 737, 738, 739, 740, 745, 746, 749, 752, 753, 777, 790, 817, 819, 826, 852, 863, 864, 873, 869, 899, 904, 911, 946, 956, 957, 961, 967.

(b) See Nos. 704, 708, 710, 711, 718, 731, 737, 740, 831, 879, 965.

(c) See Nos. 703, 704, 708, 710, 718, 722, 724, 727, 730, 731, 777, 863, 858.

(d) See Nos. 32, 700, 704, 708, 748a, 869.

March 3, 1805. Vol. 2, p. 831. No. 702.—AN ACT further providing for the government of the District of Louisiana.

District of Louisiana changed to the Territory of Louisiana, with a different government.

Be it enacted, &c., That all that part of the country ceded by France to the United States, under the general name of Louisiana, which, by an act of the last session of Congress, was erected into a separate district, to be called the District of Louisiana, shall henceforth be known and designated by the name and title of the Territory of Louisiana. (a)

(a) See Nos. 698, 699, 707, 709, 714, 715, 762.

Feb. 23, 1806. Vol. 2, p. 352.

No. 703.—AN ACT extending the powers of the surveyor-general to the Territory of Louisiana; and for other purposes.

Powers of the surveyor-general to be extended to the Territory of Louisiana.

Deputy surveyors to be appointed.

Their duties, &c.

Be it enacted, &c., That the powers vested by law in the surveyor-general, shall extend over all the public lands of the United States, in the Territory of Louisiana, to which the Indian title has been or hereafter shall be extinguished. It shall be the duty of the said surveyor-general to appoint a sufficient number of skilful surveyors, as his deputies, in the said Territory, one of whom he shall, with the approbation of the Secretary of the Treasury, designate as his principal deputy for the same. Which said deputies shall severally take an oath, or affirmation, truly and faithfully to discharge the duties of their respective offices. The said principal deputy shall reside and keep an office in the said Territory, and shall, under the superintendence of the surveyor-general, execute or cause to be executed by the other deputies, such surveys as may hereafter be authorized by law, or as he may be directed to execute by the commissioners appointed for the purpose of ascertaining the titles and claims to land within the Territory aforesaid; and shall generally perform therein, in conformity with the regulations and instructions of the said surveyor-general, the duties imposed by law on the said surveyor-general.

Plots of surveys appertaining to the office of surveyor-general under the Spanish Government to be delivered to the prin-

SEC. 2. *And be it further enacted*, That all the plots of surveys, and all other papers and documents pertaining, or which did pertain to the office of surveyor-general, under the Spanish Government, within the limits of the Territory aforesaid, or to any other office heretofore established or authorized, for the purpose of executing or recording surveys of lands within the said limits, shall be delivered to the principal deputy aforesaid; and no plot of survey shall be admitted as evidence, in any

court of justice, unless certified by the said principal deputy, to be a true copy of the record in his office. (a)

SEC. 3. *And be it further enacted*, That so much of the act, intituled "An act for ascertaining and adjusting the titles and claims to land within the Territory of Orleans and the District of Louisiana," as makes it the duty of every claimant to lands, within the Territory of Louisiana, to deliver to the recorder of land titles a plot of the tract or tracts, claimed by him, be, and the same is hereby repealed, so far as relates to claimants whose tracts had not been surveyed by the proper officer, under the Spanish Government, prior to the twentieth day of December, one thousand eight hundred and three. And the commissioners appointed for ascertaining the titles and claims to lands, within either the Territory of Louisiana, or that of Orleans, are hereby authorized to direct the officer exercising the powers of surveyor-general, within the same, to execute such surveys as they may think necessary, for the purpose of deciding on claims presented for their decision: *Provided*, That the expense of executing such surveys shall be defrayed by the parties claiming the land, unless the same be claimed by a legal French or Spanish grant, made and completed before the first day of October, one thousand eight hundred: *And provided also*, and it is hereby further enacted, that every such survey, as well as every other survey, by whatever authority heretofore executed, those of the above-mentioned legal and complete titles only excepted, shall be held and considered as private surveys only; and all the tracts of land, the titles to which may be ultimately confirmed by Congress, in conformity with the provisions of the act above mentioned, shall, prior to the issuing of patents, be resurveyed, if judged necessary, under the authority of the person exercising the powers of surveyor-general, and at the expense of the parties. (b)

SEC. 4. *And be it further enacted*, That the surveyor-general shall fix the compensation of the deputy surveyors, chain-carriers, and axe-men, in the Territory of Louisiana: *Provided*, That the whole expense of surveying and marking the lines, whether paid by the United States, or by individuals, shall not exceed three dollars per mile, for every mile that shall be actually run, or surveyed and marked. And the principal deputy aforesaid, shall be entitled to receive from individuals the following fees, that is to say: for examining and recording the surveys executed by any of the deputies, at the rate of twenty-five cents for every mile of the boundary line of such survey, and for a certified copy of any plot of a survey in his office, twenty-five cents.

(a) See Nos. 701, 704, 708, 710, 718, 722, 724, 727, 730, 731, 777, 803, 858.

(b) See Nos. 699, 701, 704, 705, 708, 710, 712, 716, 718, 721, 722, 723, 724, 728, 731, 732, 737, 738, 739, 740, 745, 746, 749, 752, 753, 777, 790, 817, 819, 826, 852, 863, 864, 873, 889, 899, 904, 911, 946, 956, 957, 961, 967.

NO. 704.—AN ACT supplementary to an act intituled "An act for ascertaining and adjusting the titles and claims to land, within the Territory of Orleans, and the District of Louisiana."

April 21, 1806.
Vol. 2, p. 391.

Be it enacted, &c., That every person or persons claiming a tract of land, by virtue of the second section of the act, to which this act is a supplement, and who had commenced an actual settlement on such tract, prior to the first day of October, one thousand eight hundred, and had continued actually to inhabit and cultivate the same, during the term of three years from the time when such actual settlement had commenced, and prior to the twentieth day of December, eighteen hundred and three, shall be considered as having made such settlement with the permission of the proper Spanish officer, although it may not be in the power of such person or persons to produce sufficient evidence of such permission.

What shall be considered an actual settlement according to the second section of the act to which this is a supplement.

SEC. 2. *And be it further enacted*, That every person or persons rightfully claiming a tract of land, not exceeding six hundred and forty acres, by virtue of the act, to which this act is a supplement, shall be confirmed in his or their claims, if otherwise embraced by the provisions of the said act, although the person or persons, under whom the claim or claims originated, were not at the time when the same originated, above the age of twenty-one years: *Provided*, That the tract of land thus claimed, had been for the space of ten consecutive years, prior to the twentieth day of December, eighteen hundred and three, in the quiet possession of, and actually inhabited and cultivated by such person or persons, or for his or their use.

Claimants to and not exceeding 640 acres under persons who were not of the age of 21 years confirmed in their titles, if their claims are in other respects regular.

Provided that the claimants shall have been in possession of the lands for ten years.

Times for delivering notices in writing to claims of land in the Territory of Orleans extended.

Persons neglecting, to be barred.

Registers of the land offices to appoint deputies.

Their duty.

Evidences of claims to land, how, to whom, and when delivered.

Commissioners, their duties under this act.

Transcripts of decisions to be filed and transmitted.

Lands not to be disposed of until the decision of Congress.

Compensations of the commissioners and registers

Compensation not to exceed \$2,000.

President may reduce the number of commissioners.

SEC. 3. *And be it further enacted*, That the time fixed by the act to which this act is a supplement, for delivering to the register of the proper land office notices in writing, and the written evidences of claims to land in the Territory of Orleans, be, and the same is hereby extended, till the first day of January next; and persons delivering such notices and evidences, shall be entitled to the same benefits as if the same had been delivered prior to the first day of March last; but the rights of such persons, as shall neglect so doing, within the time limited by this act, shall be barred, and the evidences of their claims never after admitted as evidence, in the same manner as had been provided by the fourth section of the act, to which this act is a supplement, in relation to claims, notices, and written evidences of which, should not be delivered, prior to the said first day of March last.

SEC. 4. *And be it further enacted*, That the registers of the land offices in the Territory of Orleans, respectively, be, and they are hereby authorized to appoint so many deputies, not exceeding one for each county, in their respective districts, as they may think necessary; whose duty it shall be to receive, enter, and file notices, and to receive and record written evidences of claims to lands lying in the county, or counties, to them respectively assigned, in the same manner as the register might do; and also, to transmit to the register the said notices and evidences, or such transcripts of abstracts of the same, as the said register, or the commissioners, may direct; and generally to do and perform all such acts, in relation to such claims, as the said register may direct. Persons having claims to land, may deliver the notices and evidences of the same, at their option, either to the register of the proper land office, or to his deputy, for the county in which such land lies; and each of the said deputies shall be entitled to receive the recording fees, allowed to the register, by the act to which this act is a supplement, and in addition thereto, (or a compensation of five hundred dollars in full for all his services,) at the rate of one dollar for every claim filed with him, to be paid out of the monies appropriated for carrying into effect the act to which this act is a supplement.

SEC. 5. *And be it further enacted*, That the commissioners, appointed for the purpose of ascertaining the rights of persons, claiming lands in the Territory of Orleans shall, in their respective districts, have the same powers, and perform the same duties, in relation to the claims thus filed before the first day of January next, as if notice of the same had been given before the first day of March last, and as was provided by the act to which this act is a supplement, in relation to the claims therein described. Transcripts of the decisions of the said commissioners; and reports of the claims filed in conformity with the provisions of this act, shall be made and transmitted, as was provided by the act to which this act is a supplement, in relation to the claims therein described. It shall likewise be the duty of the said commissioners, to inquire into the nature and extent of the claims which may arise from a right, or supposed right, to a double or additional concession on the back of grants or concessions heretofore made, or from grants or concessions heretofore made to minors, and not embraced by the provisions of this act, or from grants or concessions made by the Spanish Government, subsequent to the first day of April, one thousand eight hundred, for lands which were actually settled and inhabited on the twentieth day of December, one thousand eight hundred and three; and to make a special report thereon to the Secretary of the Treasury; which report shall be, by him, laid before Congress at their next ensuing session. And the lands which may be embraced by such report, shall not be otherwise disposed of, until a decision of Congress shall have been had thereupon.

SEC. 6. *And be it further enacted*, That each of the registers aforesaid, shall, in addition to his other emoluments, receive a compensation of five hundred dollars for the services to be performed, under this act, prior to the first day of January next; and each of the commissioners aforesaid, shall receive at the rate of six dollars a day for every day's actual attendance on the duties of his office, subsequent to the first day of January next: *Provided*, That the whole amount of compensation thus allowed, shall not for any commissioner exceed two thousand dollars: *And provided also*, That the President of the United States may, if he shall think proper, reduce, after the first day of January next, the number of commissioners on either or both boards, to one or two persons, and in case of such reduction the commissioner or commissioners con-

stituting the board, shall have the same powers which are vested by this act, or by the act to which this act is a supplement, in the board established by the act, to which this act is a supplement. The clerk of each of the boards shall be entitled to receive at the rate of fifteen hundred dollars a year; the translators at the rate of six hundred dollars a year, and the agents employed by the Secretary of the Treasury at the rate of fifteen hundred dollars a year, from the first day of January next, to the time when each board shall respectively be dissolved. *Provided*, That no more than one year's compensation be thus allowed to each of the said clerks, translators, and agents: *And provided also*, That the Secretary of the Treasury may discontinue either one or both of said agents, whenever he shall think it proper.

Salaries of officers.

Provided.

SEC. 7. *And be it further enacted*, That the commissioners appointed for the purpose of ascertaining the rights of persons, claiming lands in the Territories of Orleans and Louisiana, be, and they are hereby authorized, if they shall think it necessary, for the purpose of obtaining oral evidence, either in support of, or in opposition to claims, which evidence could not be given at the usual place of their sittings, without oppression to the parties or witnesses, to remove their sittings, or to send for that purpose, one or more members of the board, to such other place or places, within their respective districts, as they may think necessary: And each of the commissioners going for that purpose, to such other place or places, shall, in addition to his compensation, receive at the rate of six dollars for every twenty miles, going to and returning from such place or places: *Provided*, That no commissioner shall receive in the whole, on that account, more than for the distance, from the usual place of the sittings of the board to the extreme settlements within his respective district.

Commissioners may change the places of their sessions.

Compensation for travel.

Provided.

SEC. 8. *And be it further enacted*, That each of the boards aforesaid, shall prepare and cause to be prepared, the reports and transcripts, which by law they are directed to make to the Secretary of the Treasury, in conformity with such forms as he may prescribe; and they shall also, in their several proceedings and decisions, conform to such instructions, as the said Secretary may, with the approbation of the President of the United States, transmit to them in relation thereto. (a)

Boards to prepare and make reports, &c., to the Secretary of the Treasury according to forms prescribed by him.

SEC. 9. *And be it further enacted*, That the surveyor of the public lands, south of Tennessee, be, and he is hereby directed to appoint a principal deputy for each of the two land districts of the Territory of Orleans, whose duty it shall be to reside and keep an office in the said districts respectively, to execute, or cause to be executed by the other deputies, such surveys as have been or may be authorized by law, or as the commissioners aforesaid may direct; to file and record all such surveys, to form as far as practicable, connected drafts of the lands granted in the district, so as to exhibit the lands remaining vacant, and generally to perform in such districts respectively, in conformity with the regulations and instructions of the said surveyor of the public lands south of the State of Tennessee, the duties imposed by law on said surveyor. And each of the said principal deputies shall receive an annual compensation of five hundred dollars, and in addition thereto, the following fees, that is to say: for examining and recording the surveys executed by any of the deputies, at the rate of twenty-five cents for every mile of the boundary line of such survey; and for a certified copy of any plot of a survey in the office, twenty-five cents. (b)

Surveyor of public lands south of Tennessee to appoint deputies, &c.

Their duties.

Compensation.

SEC. 10. *And be it further enacted*, That the President of the United States be, and he hereby is authorized, whenever he shall think it proper, to appoint a receiver of public monies for the western district of the Territory of Orleans, who shall receive the same annual compensation, give security in the same manner and in the same sums, and whose duties and authorities shall in every respect be the same in relation to the lands which shall hereafter be disposed of at their offices, as are by law provided with respect to the receivers of public monies, in the several offices established for the disposal of the lands of the United States, north of the river Ohio, and above the mouth of Kentucky River. And the said receiver, and the register of the land office, for the same district shall, whenever the public lands within the same shall be offered for sale, be entitled to the same commissions and fees, which are by law respectively allowed to the same officers, north of the river Ohio, and above the mouth of Kentucky River. (c)

Receiver of public monies for the western district of Orleans may be appointed by the President, &c.

His compensation.

SEC. 11. *And be it further enacted*, That the President of the United States be, and he is hereby authorized, whenever he shall think it

President may authorize a sale

of public lands in the western district of Orleans, &c.

Lands to be offered for sale.

Days of sale to be designated by the President's proclamation.

How long to remain open.

Prices, &c.

Compensation to superintendents of sales.

Lands remaining unsold may be disposed of at private sale.

In what manner, and on what terms.

Patents how to be obtained.

Locations made for General La Fayette may be received though containing less than 1,000 acres.

Proviso.

Survey of the coast of the Territory of Orleans to be made.

Limitation of expense.

proper, to direct so much of the public lands lying in the western district of the Territory of Orleans, as shall have been surveyed in conformity with the provisions of the act to which this act is a supplement, to be offered for sale. All such land shall, with the exception of the section "number sixteen," which shall be reserved in each township for the support of schools, within the same; (d) with the exception also of an entire township to be located by the Secretary of the Treasury, for the use of a seminary of learning, (e) and with the exception also of the salt springs, and lands contiguous thereto, which by direction of the President of the United States, may be reserved for the future [disposal] of the said States, (f) shall be offered for sale to the highest bidder, under the direction of the register of the land office, of the receiver of public monies, and of the principal deputy surveyor; and on such day or days, as shall, by a public proclamation of the President of the United States, be designated for that purpose. The sales shall remain open for three weeks and no longer; the lands shall be sold for a price not less than that which has been, or may be fixed by law, for the public lands in the Mississippi Territory, and shall in every other respect be sold in tracts of the same size, on the same terms and conditions as have been, or may be by law provided for the lands sold in the Mississippi Territory. The superintendents of the said public sales shall receive six dollars, each, for each day's attendance on the said sales. All lands, other than the reserved sections, and those excepted as above mentioned, remaining unsold at the closing of the public sales, may be disposed of at private sale, by the register of the land office, in the same manner, under the same regulations, for the same price, and on the same terms and conditions as are, or may be provided by law, for the sale of the lands of the United States in the Mississippi Territory. And patents shall be obtained for all lands granted or sold in the Territory of Orleans, in the same manner and on the same terms, as is, or may be provided by law for lands sold in the Mississippi Territory. (g)

SEC. 12. *And be it further enacted*, That the location or locations of land, which may be made in the Territory of Orleans, by Major-General La Fayette, by virtue of the ninth [eighth] section of the act to which [this] act is a supplement, shall and may be received, though containing less than one thousand acres: *Provided*, that no such location or survey shall contain less than five hundred acres. (h)

SEC. 13. *And be it further enacted*, That the Secretary of the Treasury be authorized to cause a survey to be made of the sea-coast of the Territory of Orleans, from the mouth of the Mississippi to Vermilion Bay inclusively, and as much farther westwardly as the President of the United States shall direct, and also of the bays, inlets, and navigable waters connected therewith: *Provided*, that the expense of such survey shall not exceed five thousand dollars.

(a) See Nos. 699, 701, 703, 705, 708, 710, 712, 716, 718, 721, 722, 723, 724, 725, 731, 732, 737, 738, 739, 740, 745, 746, 749, 752, 753, 777, 790, 817, 819, 826, 852, 863, 864, 873, 889, 899, 904, 911, 946, 956, 957, 961, 967.

(b) See Nos. 701, 703, 708, 710, 712, 722, 724, 727, 730, 731, 777, 803, 858.

(c) See Nos. 701, 708, 710, 711, 718, 731, 737, 740, 831, 879, 965.

(d) See Nos. 418, 708, 710, 832, 834, 835, 837, 841, 843, 853, 859, 883, 884, 891, 894, 895, 903.

(e) See Nos. 708, 710, 760.

(f) See Nos. 708, 710.

(g) See Nos. 708, 710, 720, 722, 729, 730, 731, 732, 761, 768, 786, 813, 818, 849, 858, 860, 897, 899, 919, 920, 922, 963.

(h) See Nos. 32, 700, 701, 708, 748a, 869.

March 3, 1807. No. 705.—AN ACT respecting claims to land in the Territories of Orleans and Louisiana. Vol. 2, p. 440.

Part of the 1st section of a former act repealed, respecting incomplete titles.

Be it enacted, &c., That so much of the first section of the act, intituled "An act for ascertaining and adjusting the titles and claims to land within the Territory of Orleans and the District of Louisiana," as provides that no incomplete title shall be confirmed, unless the person in whose name the warrant or order of survey had been granted, was at the time of its date, either the head of a family, or above the age of twenty-one years, be and the same is hereby repealed.

Residents in the Territories of Orleans or Louisiana, confirmed in their titles, if in possession a

SEC. 2. *And be it further enacted*, That any person or persons, and the legal representative of any person or persons, who, on the twentieth day of December, one thousand eight hundred and three, had for ten consecutive years prior to that day, been in possession of a tract of land not claimed by any other person, and not exceeding two thousand acres,

and who were on that day resident in the Territory of Orleans or Louisiana, and had still possession of such tract of land, shall be confirmed in their titles to such tract of land: *Provided*, That no claim to a lead mine or salt spring, shall be confirmed merely by virtue of this section: *And provided also*, That no more land shall be granted by virtue of this section, than is actually claimed by the party, nor more than is contained within the acknowledged and ascertained boundaries of the tract claimed.

certain number of successive years.
Proviso.

SEC. 3. *And be it further enacted*, That the claim of the corporation of the city of New Orleans, to the commons adjacent to the said city, and within six hundred yards from the fortifications of the same, be, and the same are hereby recognized and confirmed: *Provided*, That the said corporation shall within six months after passing this act, relinquish and release any claim they may have to such commons beyond the distance of six hundred yards aforesaid: *Provided also*, That the corporation shall reserve for the purpose, and convey gratuitously for the public benefit, to the company authorized by the legislature of the Territory of Orleans, as much of the said commons as shall be necessary to continue the canal of Carondelet from the present basin to the Mississippi, and shall not dispose of, for the purpose of building thereon, any lot within sixty feet of the space reserved for a canal, which shall for ever remain open as a public highway: *And provided also*, That nothing herein contained, shall be construed to affect or impair the rights of any individual or individuals to the said commons, which are derived from any grant of the French or Spanish Government. (a)

Claim of New Orleans to the commons confirmed.

Release to be made by the corporation.
Proviso.

Nothing herein to impair rights under the French or Spanish Government.

SEC. 4. *And be it further enacted*, That the commissioners appointed or to be appointed for the purpose of ascertaining the rights of persons claiming land in the Territories of Orleans and Louisiana, shall have full powers to decide according to the laws and established usages and customs of the French and Spanish Governments, upon all claims to lands within their respective districts, where the claim is made by any person or persons, or the legal representative of any person or persons, who were on the twentieth of December, one thousand eight hundred and three, inhabitants of Louisiana, and for a tract not exceeding the quantity of acres contained in a league square, and which does not include either a lead mine or salt spring, which decision of the commissioners when in favour of the claimant shall be final, against the United States, any act of Congress to the contrary notwithstanding.

Claims to be decided according to the usages and customs of the French and Spanish Governments, in certain cases.

SEC. 5. *And be it further enacted*, That the time fixed by the act above mentioned, and by the acts supplementary to the same, for delivering to the proper register or recorder, notices in writing and the written evidences of claims to land, be, and the same is hereby extended, for the Territories of Orleans and Louisiana, till the first day of July, one thousand eight hundred and eight, and persons delivering such notices and evidences shall be entitled to the same benefit as if the same had been delivered within the time limited by the former acts; but the rights of such persons as shall neglect so doing within the time limited by this act, shall, so far as they are derived from or founded on any act of Congress, ever after be barred and become void, and the evidences of their claims never after admitted as evidence in any court of law or equity whatever.

Time fixed for delivering notices of claims, extended.

Persons barred who neglect giving notices, &c.

SEC. 6. *And be it further enacted*, That the commissioners appointed or to be appointed for the purpose of ascertaining the rights of persons claiming lands in the Territories of Orleans and Louisiana, shall respectively transmit to the Secretary of the Treasury and to the surveyor-general, or officer acting as surveyor-general, transcripts of the final decisions made in favour of claimants by virtue of this act, and they shall deliver to the party a certificate stating the circumstances of the case, and that he is entitled to a patent for the tract of land therein designated, which certificate shall be filed with the proper register or recorder, within twelve months after date. And the register or recorder shall thereupon (a plat of the tract of land therein designated, being previously filed with him or transmitted to him by the officer acting as surveyor-general in the manner herein after provided,) issue a certificate in favour of the party, which certificate being transmitted to the Secretary of the Treasury, shall entitle the party to a patent, to be issued in like manner as is provided by law for the issuing of patents for public lands lying in other Territories of the United States.

Certificates of final decisions to be transmitted to surveyor-general and Secretary of the Treasury.

Patents to issue upon those transmitted to the Secretary of the Treasury.

SEC. 7. *And be it further enacted*, That the tracts of land thus granted by the commissioners shall be surveyed at the expense of the parties,

Tracts of land thus granted to

be surveyed at expense of the parties, unless an accurate and authentic survey, made under authority of former governments of Orleans and Louisiana, shall have been filed, &c.

Commissioners authorized to direct resurveys.

Surveyor-general to transmit general and particular plats to Secretary of the Treasury, &c.

Reports of undecided claims to be regularly transmitted by commissioners to Secretary of the Treasury.

Arrangement of claims.

Allowances and compensations.

Proviso.

under the direction of the surveyor-general, or officer acting as surveyor-general, in all cases where an authenticated plat of the land as surveyed under the authority of the officer acting as surveyor-general under the French, Spanish, or American Governments respectively, during the time either of the said governments had the actual possession of the said Territories of Orleans and Louisiana, shall not have been filed with the proper register or recorder, or shall not appear of record on the public records of the said Territories of Orleans and Louisiana. The said commissioners shall also be authorized, whenever they may think it necessary, to direct the surveyor-general, or officer acting as such, to cause any tract of land already duly surveyed, to be resurveyed at the expense of the United States. And the surveyor-general, or officer acting as such, shall transmit general and particular plats of the tracts of land thus surveyed, to the proper register or recorder, and shall also transmit copies of the said plats to the Secretary of the Treasury.

SEC. 8. *And be it further enacted,* That the commissioners aforesaid shall respectively report to the Secretary of the Treasury their opinion on all the claims to land within their respective districts, which they shall not have finally confirmed by the fourth section of this act. The claims shall, in the said report or reports, be arranged into three general classes, that is to say: first, claims which, in the opinions of the commissioners, ought to be confirmed in conformity with the provisions of the several acts of Congress, for ascertaining and adjusting the titles and claims to land within the Territories of Orleans and Louisiana; secondly, claims which, though not embraced by the provisions of the said acts, ought nevertheless in the opinion of the commissioners to be confirmed in conformity with the laws, usages, and customs of the Spanish Government; thirdly, claims which neither are embraced by the provisions of the said acts, nor ought in the opinion of the commissioners to be confirmed in conformity with the laws, usages, and customs of the Spanish Government; and the said report and reports being in other respects made in conformity with the forms prescribed according to law, by the Secretary of the Treasury, shall by him be laid before Congress, for their final determination thereon, in the manner and at the time heretofore prescribed by law for that purpose. (b)

SEC. 9. *And be it further enacted,* That the following allowances and compensations shall be made to the several officers herein after mentioned, that is to say, to the principal deputy of the surveyor-general, for the District of Louisiana, at the rate of five hundred dollars a year, from the time he entered into the duties of his office, in addition to the fees which he is entitled to receive by law. To the register of the western district of the Orleans Territory, and to the clerk of the board of commissioners for that district, one thousand dollars each, for their services as commissioners and clerk respectively, during the year one thousand eight hundred and six. To each of the deputy registers of the Territory of Orleans, five hundred dollars in full, for their services subsequent to the first day of January last, in addition to the fees to which they are legally entitled. To each of the commissioners at the rate of two thousand dollars a year; to each of the clerks of the boards, and to each of the agents employed by the Secretary of the Treasury, at the rate of fifteen hundred dollars a year, and to each of the translators, at the rate of six hundred dollars a year, to commence from the first day of July next, in the District of Louisiana, and from the first day of January next, in the Territory of Orleans, and to continue to the time when each board shall be respectively dissolved: *Provided,* That no more than eighteen months' compensation be thus allowed to the said commissioners, clerks, and translators, and that the compensation of any such officer absenting himself from his district, or failing to attend to the duties of his office, shall cease during such absence or failure.

(a) See Nos. 708, 710, 713, 734, 739.

(b) See Nos. 699, 701, 703, 704, 708, 710, 712, 716, 718, 721, 722, 723, 724, 728, 731, 732, 737, 738, 739, 740, 745, 746, 749, 752, 753, 777, 790, 817, 819, 826, 852, 863, 864, 873, 889, 899, 904, 911, 946, 956, 957, 961, 967.

No. 706.—AN ACT for the relief of certain Alabama and Wyandott Indians.

Feb. 28, 1809.
Vol. 2, p. 527.

Be it enacted, &c., That the President of the United States be, and he is hereby authorized to cause to be surveyed and designated by proper metes and bounds, a tract of land not exceeding two thousand five hundred acres, out of any lands of the United States, lying in the Territory of Orleans, and west of the river Mississippi, and by lease vest the said tract of land in a certain tribe of Alabama Indians and their descendants, for the term of fifty years: *Provided nevertheless*, That it shall not be lawful for the said tribe of Indians to transfer or assign their interest in the said land, and every such transfer, or assignment, shall be null and void: *And provided also*, That if the said tribe of Indians shall remove from the said tract of land, their interest in, and to, the same shall thenceforth cease and determine.

President to cause a tract of land in the Orleans Territory to be laid off for the Alabama Indians.

Proviso.

Proviso.

No. 707.—A PROCLAMATION by the President of the United States of America, respecting taking possession of part of Louisiana.

Oct. 27, 1810.
Vol. 11, p. 761.

Whereas the territory south of the Mississippi Territory and eastward of the river Mississippi and extending to the river Perdido, of which possession was not delivered to the United States in pursuance of the treaty concluded at Paris on the 30th of April, 1803, has at all times, as is well known, been considered and claimed by them, as being within the colony of Louisiana conveyed by the said treaty, in the same extent that it had in the hands of Spain, and that it had when France originally possessed it.

Preamble as to title of the United States to the territory south of Mississippi Territory, eastward of Mississippi River and extending to the River Perdido.

And whereas, the acquiescence of the United States in the temporary continuance of the said territory under the Spanish authority was not the result of any distrust of their title, as has been particularly evinced by the general tenor of their laws, and by the distinction made in the application of those laws between that territory and foreign countries, but was occasioned by their conciliatory views, and by a confidence in the justice of their cause; and in the success of candid discussion and amicable negotiation with a just and friendly power.

And whereas a satisfactory adjustment, too long delayed, without the fault of the United States, has for some time been entirely suspended by events over which they had no control, and whereas a crisis has at length arrived subversive of the order of things under the Spanish authorities, whereby a failure of the United States to take the said territory into its possession may lead to events ultimately contravening the views of both parties, whilst in the mean time the tranquillity and security of our adjoining Territories are endangered, and new facilities given to violations of our revenue and commercial laws, and of those prohibiting the introduction of slaves.

Considering, moreover, that under these peculiar and imperative circumstances, a forbearance on the part of the United States to occupy the territory in question, and thereby guard against the confusions and contingencies which threaten it, might be construed into a dereliction of their title, or an insensibility to the importance of the state: considering that in the hands of the United States it will not cease to be a subject of fair and friendly negotiation and adjustment: considering finally that the acts of Congress tho' contemplating a present possession by a foreign authority, have contemplated also an eventual possession of the said territory by the United States, and are accordingly so framed, as in that case to extend in their operation to the same:

Now be it known that I, James Madison, President of the United States of America, in pursuance of these weighty and urgent considerations, have deemed it right and requisite that possession should be taken of the said Territory, in the name and behalf of the United States. William C. C. Claiborne, governor of the Orleans Territory of which the said territory is to be taken as part, will accordingly proceed to execute the same; and to exercise over the said territory the authorities and functions legally appertaining to his office. And the good people inhabiting the same, are invited and enjoined to pay due respect to him in that character; to be obedient to the laws; to maintain order; to cherish harmony; and in every manner to conduct themselves as peaceable citizens; under full assurance that they will be protected in the enjoyment of their liberty, property, and religion. (a)

Possession to be taken of said territory.

W. C. C. Claiborne, to execute this order and to act as governor.

In testimony whereof, I have caused the seal of the United States to be hereunto affixed, and signed the same with my hand. Done at the city of Washington, the twenty-seventh day of October, A. D. eighteen hundred and ten, and in the thirty-fifth year of the Independence of the United States.

[L. S.]

By the President:

JAMES MADISON.

R. SMITH,
Secretary of State.

(a) See Nos. 698, 699, 709, 714, 715, 762.

Feb. 15, 1811.
Vol. 2, p. 617.

No. 708.—AN ACT providing for the final adjustment of claims to lands, and for the sale of the public lands in the Territories of Orleans and Louisiana.

Compensations to officers appointed to ascertain the rights of persons claiming lands in the Territories of Orleans and Louisiana.

Compensation of commissioners, &c.

No allowance to the person appointed by the Secretary of the Treasury after the time the agent ceased to act.

Two principal deputy surveyors of the Orleans Territory may alter the mode of surveying certain lands.

Proviso.

Land offices established at New Orleans, and Opelousas, for disposing of the public lands.

Be it enacted, &c., That the following allowances and compensations shall be made to the several officers appointed for the purpose of ascertaining the rights of persons claiming lands in the Territories of Orleans and Louisiana; which allowances and compensations shall be in full for all their services, including those rendered since their salaries respectively ceased, that is to say: To each of the commissioners, and to each of the clerks of the boards, fifty cents for each claim, duly filed according to law, which remained undecided on the first day of July, one thousand eight hundred and nine, and on which a decision has been made subsequent to that day, or shall hereafter be made, whether such decision be in favour or against the claim: which allowance of fifty cents shall be paid at the Treasury of the United States, from time to time, and on receipt of the transcripts of the decisions and of the reports of claims not finally confirmed, as the same may be transmitted by the boards respectively to the Secretary of the Treasury according to law. To each of the said commissioners and clerks a further allowance of five hundred dollars, to be paid after the completion of the business of each of the boards respectively, to the officers then in office. And to each of the translators, at the rate of six hundred dollars a year, and not to exceed in the whole for each the term of eighteen months: *Provided always,* That the above-mentioned allowance of fifty cents for each claim decided upon, shall not be made to any of the commissioners who may be absent at the time of such decision; the attendance of each to be certified by the clerk, or by a majority of the board: *And provided also,* That no allowance shall be made to any agent heretofore employed by the Secretary of the Treasury, for any period of time subsequent to the time when such agent ceased to act, or when the board ceased to receive evidence. (a)

SEC. 2. *And be it further enacted,* That the two principal deputy surveyors of the Territory of Orleans shall, and they are hereby authorized, in surveying and dividing such of the public lands in the said Territory, which are or may be authorized to be surveyed and divided, as are adjacent to any river, lake, creek, bayou or water-course, to vary the mode heretofore prescribed by law, so far as relates to the contents of the tracts, and ——— to the angles and boundary lines ——— and to lay out the same into tracts as far as practicable, of fifty-eight poles in front and four hundred and sixty-five poles in depth, of such shape, and bounded by such lines as the nature of the country will; render practicable, and most convenient: *Provided however,* That such deviations from the ordinary mode of surveying shall be made with the approbation of, and in conformity with the general instructions which may be given to that effect by the surveyor of the public lands south of the State of Tennessee. (b)

SEC. 3. *And be it further enacted,* That for the disposal of the lands of the United States, lying in the eastern land district of the Territory of Orleans, a land office shall be established at New Orleans; and that for the disposal of the lands of the United States, lying south of Red River, in the western land district of the Territory of Orleans, a land office shall be established at Opelousas; and that for the disposal of the lands of the United States, lying north of Red River, in the western land district of the Territory of Orleans, a land office shall be established, which shall be kept at such place as the President of the United States may direct. The register of the western land district of the Territory of Orleans shall act as register of the land office of Opelousas, and as one of the commissioners for ascertaining the rights of persons claiming lands

in any part of the said western land district. And for the land office, north of the Red River, a register, and for each of the said three offices, a receiver of public monies shall be appointed, who shall give security in the same manner, in the same sums, and whose compensations, emoluments, duties and authority, shall in every respect be the same, in relation to the lands which shall be disposed of at their offices, as are or may be provided by law, in relation to the registers and receivers of public monies in the several offices established for the disposal of the lands of the United States, in the Territory of Mississippi. (c)

SEC. 4. *And be it further enacted*, That the powers vested in the President of the United States by the eleventh section of the act, entitled "An act supplementary to an act, entitled An act for ascertaining and adjusting the titles and claims to land within the Territory of Orleans, and the District of Louisiana," passed on the twenty-first day of April, one thousand eight hundred and six, in relation to the public lands lying in the western district of the Territory of Orleans, and all the other provisions made by the same section, for the sale of said lands, and for obtaining patents for the same, shall be, and the same are hereby in every respect, extended to the public lands, lying in the eastern district of the Territory of Orleans.

Powers vested in the President extended to him as to the eastern district.

SEC. 5. *And be it further enacted*, That every person who, either by virtue of a French or Spanish grant recognized by the laws of the United States, or under a claim confirmed by the commissioners appointed for the purpose of ascertaining the rights of persons claiming lands in the Territory of Orleans, owns a tract of land bordering on any river, creek, bayou or water-course, in the said Territory, and not exceeding in depth forty arpens, French measure, shall be entitled to a preference in becoming the purchaser of any vacant tract of land adjacent to, and back of his own tract, not exceeding forty arpens, French measure, in depth, nor in quantity of land, that which is contained in his own tract, at the same price, and on the same terms and conditions, as are, or may be provided by law for the other public lands in the said Territory. And the principal deputy surveyor of each district respectively, shall be and he is hereby authorized, under the superintendence of the surveyor of the public lands south of the State of Tennessee, to cause to be surveyed, the tracts claimed by virtue of this section; and in all cases where by reason of bends in the river, lake, creek, bayou or water-course bordering on the tract, and of adjacent claims of a similar nature, each claimant cannot obtain a tract equal in quantity to the adjacent tract already owned by him to divide the vacant land applicable to that object between the several claimants, in such manner as to him will appear most equitable: *Provided however*, That the right of pre-emption, granted by this section, shall not extend so far in depth, as to include lands fit for cultivation, bordering on another river, creek, bayou or water-course. And every person entitled to the benefit of this section shall, within three years after the date of this act, deliver to the register of the proper land office, a notice in writing, stating the situation and extent of the tract of land he wishes to purchase, and shall also make the payment and payments for the same, at the time and times, which are, or may be prescribed by law, for the disposal of the other public lands in the said Territory: the time of his delivering the notice aforesaid, being considered as the date of the purchase. And if any such person shall fail to deliver such notice within the said period of three years, or to make such payment or payments at the time above mentioned, his right of pre-emption shall cease and become void; and the land may thereafter be purchased by any other person in the same manner, and on the same terms, as are or may be provided by law for the sale of other public lands in the said Territory.

Terms on which persons owning contiguous lands may obtain those belonging to the public.

Limitation of grants.

SEC. 6. *And be it further enacted*, That the land offices, established by virtue of the fourth section of this act, shall be opened on the first day of January, one thousand eight hundred and twelve, for the sale of all the public lands, with the exception of section "No. sixteen" (d) of the said springs, and land contiguous thereto, (e) and of the tracts reserved for the support of seminaries of learning as herein after provided, (f) which shall have been previously surveyed and the surveys thereof returned according to law to the registers of the land offices respectively; and on the first day of February, one thousand eight hundred and twelve, for the sale of such of the public lands, which, from the nature of the country, cannot be surveyed in the ordinary way, and are embraced by the provisions of the third section of this act, as shall have, at least six

Periods of opening the land offices, &c.

- weeks previous to the said first day of February, one thousand eight hundred and twelve, been advertised for sale by the surveyor of the public lands south of the State of Tennessee, with the approbation of the President of the United States. The public sales for the lands, subdivided into quarter-sections in the ordinary way, shall be held for one calendar month, under the superintendence of the register and receiver of each land office respectively, and of either of the surveyors of public lands south of Tennessee, or of his principal deputy surveyor in the district, who shall each receive six dollars for each day's attendance on the same; and no tract of land shall be sold at said public sales, for a less price than that which is or may be prescribed by law, for the sale of public lands in the Mississippi Territory. And from and after the first day of February, one thousand eight hundred and twelve, any tract which has been thus offered for sale at public sale, and remains unsold, as well as any tract of land embraced by the provisions of the third section of this act, the sale of which is authorized by this section, may be disposed of at private sale by the register of the land office, for the same price which is or may be prescribed by law, for the sale of public lands in the Mississippi Territory. All the lands, sold (by) virtue of this section, shall in every other respect be sold on the same terms of payment and conditions, in the same manner, and under the same regulations as are or may be prescribed by law, for the sale of public lands in the Mississippi Territory: *Provided however*, That in case of an application being made at the same time, for the purchase at private sale of the same tract of land by two or more persons, one of whom did actually inhabit and cultivate such tract of land at the time of passing this act, and still continues to inhabit and cultivate the same at the time of such application; the preference shall be given to the person thus inhabiting and cultivating such tract of land: (g) *And provided also*, That till after the final decision of Congress thereon, no tract of land shall be offered for sale, the claim to which has been in due time, and according to law, presented to the register of the land office, and filed in his office, for the purpose of being investigated by the commissioners appointed for the purpose of ascertaining the rights of persons claiming lands in the Territory of Orleans; or which shall have been located by or for Major-General La Fayette, according to law. (h)
- Preference to inhabitants and cultivators.** SEC. 7. *And be it further enacted*, That in addition to the township already reserved for that purpose by law, in the western district of the Territory of Orleans, and which shall be located south of Red River, another entire township shall be located by the Secretary of the Treasury north of Red River, for the use of a seminary of learning, and also an entire township in the Territory of Louisiana, for the support of a seminary of learning within the said Territory. (f)
- Proviso.** SEC. 8. *And be it further enacted*, That the surveyor-general shall cause such of the public lands in the Territory of Louisiana as the President of the United States shall direct, to be surveyed and divided in the same manner and under the same regulations and limitation as to expenses, as is provided by law in relation to the lands of the United States, northwest of the river Ohio, and above the mouth of Kentucky River. (b)
- Additional reservation in the western district.** SEC. 9. *And be it further enacted*, That for the disposal of the lands of the United States, lying in the Territory of Louisiana, a land office shall be established, which shall be kept at such place as the President of the United States may direct; and a register and receiver of public monies shall be appointed for said office, who shall give security in the same manner, in the same sums, and whose compensations, emoluments, duties and authority, shall in every respect be the same, in relation to the lands which shall be disposed of at their office, as are or may be provided for by law, in relation to the register and receiver of public monies in the several offices established for the disposal of the lands of the United States, northwest of the river Ohio and above the mouth of Kentucky River. (c)
- Lands in the Territory of Louisiana to be surveyed, &c.** SEC. 10. *And be it further enacted*, That the President of the United States be, and he is hereby authorized, whenever he shall think proper, to direct so much of the public lands lying in the Territory of Louisiana, as shall have been surveyed in conformity with the ninth section of this act, to be offered for sale. All such lands shall, with the exception of the section "number sixteen," which shall be reserved in each township for the support of schools within the same, (d) with exception also of a tract reserved for the support of a seminary of learning, as
- A land office to be opened, at such place as the President may designate for disposing of public lands in Louisiana, &c.**
- Lands may be offered for sale, &c.**
- Sale of the public lands.**

provided for by the eighth section of this act, (f) and with the exception also of the salt springs, and lead mines, and lands contiguous thereto, which, by the direction of the President of the United States, may be reserved for the future disposal of the said States, (e) shall be offered for sale to the highest bidder, under the direction of the register of the land office, and the receiver of public monies, and of the principal deputy surveyor, and on such day or days as shall, by public proclamation of the President of the United States, be designated for that purpose. The sales shall remain open for three weeks, and no longer. The lands shall be sold for a price not less than that which has been or may be fixed by law for the public lands, northwest of the river Ohio, and above the mouth of Kentucky River. And shall in every other respect be sold in tracts of the same size, on the same terms and conditions, as have been or may be by law provided for the lands sold in the State of Ohio. The superintendents of the said public sales shall each receive six dollars for each day's attendance on the said sales. All the lands which have been thus offered for sale, at public sale, remaining unsold at the closing of the public sales, may be disposed of at private sale by the register of the land office, for the same price which is or may be prescribed by law for the sale of public lands in the State of Ohio:

Provided however, That till after the decision of Congress thereon, no tract of land shall be offered for sale, the claim to which has been in due time and according to law presented to the recorder of land titles in the district of Louisiana, and filed in his office, for the purpose of being investigated by the commissioners appointed for ascertaining the rights of persons claiming lands in the Territory of Louisiana. And patents shall be obtained for all lands sold in the Territory of Louisiana, in the same manner and on the same terms as is or may be provided, by law, for land sold in the State of Ohio. (g)

SEC. 11. *And be it further enacted,* That the claim of the corporation of the city of New Orleans, to the common adjacent thereto, and within six hundred yards from the fortifications of the same, as confirmed by the act, entitled "An act respecting claims to lands in the Territories of Orleans and Louisiana," shall be deemed valid, although the relinquishment of the said corporation to any claim beyond the said distance of six hundred yards, was not made till after the expiration of the period of six months prescribed by the act last mentioned. (i)

SEC. 12. *And be it further enacted,* That all the navigable rivers and waters in the Territories of Orleans and Louisiana, shall be, and for ever remain public highways.

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- (a) See Nos. 699, 701, 703, 704, 705, 710, 712, 716, 718, 721, 722, 723, 724, 728, 731, 732, 737, 738, 739, 740, 745, 746, 749, 752, 753, 777, 790, 817, 819, 826, 852, 863, 864, 873, 889, 899, 904, 911, 946, 956, 957, 961, 967.
- (b) See Nos. 701, 703, 704, 710, 718, 722, 724, 727, 730, 731, 777, 803, 858.
- (c) See Nos. 701, 704, 710, 711, 718, 731, 737, 740, 831, 879, 965.
- (d) See Nos. 418, 704, 710, 832, 834, 835, 837, 841, 843, 853, 859, 883, 884, 891, 894, 895, 903.
- (e) See Nos. 704, 710.
- (f) See Nos. 704, 710, 760.
- (g) See Nos. 704, 710, 720, 722, 729, 730, 731, 732, 761, 768, 786, 813, 818, 849, 858, 860, 897, 899, 919, 920, 928, 963.
- (h) See Nos. 32, 700, 701, 704, 748a, 869.
- (i) See Nos. 705, 710, 713, 734, 739.

No. 709.—AN ACT to enable the people of the Territory of Orleans to form a constitution and State government, and for the admission of such State into the Union, on an equal footing with the original States, and for other purposes.

Feb. 20, 1811.
Vol. 2, p. 641.

Be it enacted, &c., That the inhabitants of all that part of the territory or country ceded under the name of Louisiana, by the treaty made at Paris on the thirtieth day of April, one thousand eight hundred and three, between the United States and France, contained within the following limits, that is to say: beginning at the mouth of the river Sabine, thence by a line to be drawn along the middle of the said river, including all islands to the thirty-second degree of latitude; thence due north, to the northernmost part of the thirty-third degree of north latitude; thence along the said parallel of latitude to the river Mississippi; thence down the said river to the river Iberville; and from thence along the middle of the said river and Lakes Maurepas and Ponchartrain, to the Gulf of Mexico; thence bounded by the said gulf to the place of beginning: including all islands within three leagues of the coast, be, and they are hereby authorized to form for themselves a constitution and

The inhabitants of Louisiana within described limits to be authorized to form a constitution and State.

State government, and to assume such name as they may deem proper, under the provisions and upon the conditions herein after mentioned. (a)

Convention to meet at New Orleans.

The constitution to be republican and consistent with the constitution of the United States.

All right to waste and unappropriated lands to be disclaimed by an irrevocable ordinance.

Lands sold by Congress to be exempt from State taxes for five years.

Reservation for roads, &c.

March 3, 1811. Vol. 2, p. 662.

Allowances and compensations.

SEC. 3. *And be it further enacted*, That the members of the convention, when duly elected, be, and they are hereby authorized to meet at the city of New Orleans, on the first Monday of November next, which convention, when met, shall first determine, by a majority of the whole number elected, whether it be expedient or not, at that time, to form a constitution and State government, for the people within the said Territory, and if it be determined to be expedient, then the convention shall in like manner declare, in behalf of the people of the said Territory, that it adopts the Constitution of the United States; whereupon the said convention shall be, and hereby is authorized to form a constitution and State government, for the people of the said Territory: *Provided*, The constitution to be formed, in virtue of the authority herein given, shall be republican, and consistent with the Constitution of the United States; that it shall contain the fundamental principles of civil and religious liberty; that it shall secure to the citizen the trial by jury in all criminal cases, and the privilege of the writ of *habeas corpus*, conformably to the provisions of the Constitution of the United States; and that after the admission of the said Territory of Orleans as a State into the Union, the laws which such State may pass shall be promulgated, and its records of every description shall be preserved, and its judicial and legislative written proceedings conducted, in the language in which the laws and the judicial and legislative written proceedings of the United States are now published and conducted: *And provided also*, That the said convention shall provide by an ordinance, irrevocable without the consent of the United States, that the people inhabiting the said Territory do agree and declare, that they for ever disclaim all right or title to the waste or unappropriated lands, lying within the said Territory; and that the same shall be and remain at the sole and entire disposition of the United States; and, moreover, that each and every tract of land, sold by Congress, shall be and remain exempt from any tax, laid by the order or under the authority of the State, whether for State, county, township, parish or any other purpose whatever, for the term of five years from and after the respective days of the sales thereof; (b) and that the lands, belonging to citizens of the United States, residing without the said State, shall never be taxed higher than the lands belonging to persons residing therein; and that no taxes shall be imposed on lands the property of the United States, and that the river Mississippi and the navigable rivers and waters leading into the same or into the Gulf of Mexico, shall be common highways and for ever free, as well to the inhabitants of the said State as to other citizens of the United States, without any tax, duty, impost or toll therefor, imposed by the said State.

SEC. 5. *And be it further enacted*, That five per centum of the net proceeds of the sales of the lands of the United States, after the first day of January, shall be applied to laying out and constructing public roads and levees in the said State, as the legislature thereof may direct.

(a) See Nos. 692, 699, 702, 707, 714, 715, 702.
(b) See Nos. 169, 874.

No. 710.—AN ACT providing for the final adjustment of claims to lands, and for the sale of the public lands in the Territories of Orleans and Louisiana, and to repeal the act passed for the same purpose, and approved February sixteenth, one thousand eight hundred and eleven.

Be it enacted, &c., That the following allowances and compensations shall be made to the several officers appointed for the purpose of ascertaining the rights of persons claiming lands in the Territories of Orleans and Louisiana; which allowances and compensations shall be in full for all their services, including those rendered since their salaries respectively ceased; that is to say: To each of the commissioners, and to each of the clerks of the boards, fifty cents for each claim, duly filed according to law, which remained undecided on the first day of July, one thousand eight hundred and nine, and on which a decision has been made subsequent to that day, or shall hereafter be made, whether such decision be in favour of, or against the claim: which allowance of fifty

cents shall be paid at the Treasury of the United States, from time to time, and on receipt of the transcripts of the decisions and of the reports of claims not finally confirmed, as the same may be transmitted by the boards respectively to the Secretary of the Treasury according to law. To each of the said commissioners and clerks a further allowance of five hundred dollars, to be paid after the completion of the business of each of the boards respectively to the officers then in office. And to each of the translators, at the rate of six hundred dollars a year, and not to exceed in the whole for each the term of eighteen months: *Provided always*, That the above-mentioned allowance of fifty cents for each claim decided upon, shall not be made to any of the commissioners who may be absent at the time of such decision; the attendance of each to be certified by the clerk, or by a majority of the board: *And provided also*, That no allowance shall be made to any agent heretofore employed by the Secretary of the Treasury for any period of time, subsequent to the time when such agent ceased to act, or when the board ceased to receive evidence. (a)

SEC. 2. *And be it further enacted*, That the two principal deputy surveyors of the Territory of Orleans shall, and they are hereby authorized, in surveying and dividing such of the public lands in the said Territory, which are or may be authorized to be surveyed and divided, as are adjacent to any river, lake, creek, bayou, or water-course, to vary the mode heretofore prescribed by law, so far as relates to the contents of the tracts, and to the angles and boundary lines, and to lay out the same into tracts as far as practicable, of fifty-eight poles in front and four hundred and sixty-five poles in depth, of such shape, and bounded by such lines as the nature of the country will render practicable, and most convenient: *Provided however*, That such deviations from the ordinary mode of surveying shall be made with the approbation of, and in conformity with the general instructions which may be given to that effect, by the surveyor of the public lands south of the State of Tennessee. (b)

Duties of the deputy surveyors and mode of survey.

SEC. 3. *And be it further enacted*, That for the disposal of the lands of the United States, lying in the eastern land district of the Territory of Orleans, a land office shall be established at New Orleans; and that for the disposal of the lands of the United States, lying south of Red River, in the western land district of the Territory of Orleans, a land office shall be established at Opelousas; and that for the disposal of the lands of the United States, lying north of Red River, in the western land district of the Territory of Orleans, a land office shall be established, which shall be kept at such place as the President of the United States may direct. The register of the western land district of the Territory of Orleans shall act as register of the land office of Opelousas, and as one of the commissioners for ascertaining the rights of persons claiming lands in any part of the said western land district. And for the land office north of the Red River, a register, and for each of the said three offices a receiver of public monies shall be appointed, who shall give security in the same manner, in the same sums, and whose compensations, emoluments, duties and authority, shall in every respect be the same, in relation to the lands which shall be disposed of at their offices, as are or may be provided by law, in relation to the registers and receivers of public monies in the several offices established for the disposal of the lands of the United States, in the Territory of Mississippi. (c)

Land offices to be established at New Orleans and Opelousas, &c.

SEC. 4. *And be it further enacted*, That the powers vested in the President of the United States by the eleventh section of the act, entitled "An act supplementary to an act, entitled An act for ascertaining and adjusting the titles and claims to land within the Territory of Orleans, and the District of Louisiana," passed on the twenty-first day of April, one thousand eight hundred and six, in relation to the public lands, lying in the western district of the Territory of Orleans, and all the other provisions made by the same section, for the sale of said lands, and for obtaining patents for the same, shall be, and the same are hereby, in every respect, extended to the public lands, lying in the eastern district of the Territory of Orleans. (d)

Certain powers with respect to public lands in eastern district of Orleans Territory extended to the President.

SEC. 5. *And be it further enacted*, That every person who, either by virtue of a French or Spanish grant recognized by the laws of the United States, or under a claim confirmed by the commissioners appointed for the purpose of ascertaining the rights of persons claiming lands in the Territory of Orleans, owns a tract of land bordering on any river, creek, bayou, or water-course, in the said Territory, and not exceeding in depth forty

Persons entitled to a preference.

Proviso as to
the extent of the
pre-emption.

arpens, French measure, shall be entitled to a preference in becoming the purchaser of any vacant tract of land adjacent to, and back of his own tract, not exceeding forty arpens, French measure, in depth, nor in quantity of land that which is contained in his own tract, at the same price, and on the same terms and conditions, as are, or may be, provided by law for the other public lands in the said Territory. And the principal deputy surveyor of each district respectively shall be and he is hereby authorized, under the superintendence of the surveyor of the public lands south of the State of Tennessee, to cause to be surveyed the tracts claimed by virtue of this section; and in all cases where by reason of bends in the river, lake, creek, bayou, or water-course, bordering on the tract, and of adjacent claims of a similar nature, each claimant cannot obtain a tract equal in quantity to the adjacent tract already owned by him, to divide the vacant land applicable to that object between the several claimants, in such manner as to him may appear most equitable: *Provided however*, That the right of pre-emption granted by this section shall not extend so far in depth, as to include lands fit for cultivation, bordering on another river, creek, bayou or water-course. And every person entitled to the benefit of this section shall, within three years after the date of this act, deliver to the register of the proper land office, a notice in writing, stating the situation and extent of the tract of land he wishes to purchase, and shall also make the payment and payments for the same, at the time and times, which are, or may be, prescribed by law for the disposal of the other public lands in the said Territory; the time of his delivering the notice aforesaid being considered as the date of the purchase. And if any such person shall fail to deliver such notice within the said period of three years, or to make such payment or payments at the time above mentioned, his right of pre-emption shall cease and become void; and the land may thereafter be purchased by any other person in the same manner, and on the same terms, as are or may be provided by law for the sale of other public lands in the said Territory.

When land of-
fices established
by this act to be
opened.

SEC. 6. *And be it further enacted*, That the land offices established by virtue of the third section of this act, shall be opened on the first day of January, one thousand eight hundred and twelve, for the sale of all the public lands, with the exception of section No. sixteen, (e) of the salt springs, and land contiguous thereto, (f) and of the tracts reserved for the support of seminaries of learning as herein after provided, (g) which shall have been previously surveyed, and the surveys thereof returned according to law to the registers of the land offices respectively; and on the first day of February, one thousand eight hundred and twelve, for the sale of such of the public lands, which from the nature of the country cannot be surveyed in the ordinary way, and are embraced by the provisions of the second section of this act, as shall have, at least six weeks previous to the said first day of February, one thousand eight hundred and twelve, been advertised for sale by the surveyor of the public lands south of the State of Tennessee, with the approbation of the President of the United States. The public sales for the land subdivided into quarter-sections in the ordinary way, shall be held for one calendar month, under the superintendence of the register and receiver of each land office respectively, and of either the surveyor of public lands south of Tennessee, or of his principal deputy surveyor in the district, who shall each receive six dollars for each day's attendance on the same; and no tract of land shall be sold at said public sales for a less price, than that which is or may be prescribed by law, for the sale of public lands in the Mississippi Territory. And from and after the first day of February, one thousand eight hundred and twelve, any tract which has been thus offered for sale at public sale, and remains unsold, as well as any tract of land embraced by the provisions of the second section of this act, the sale of which is authorized by this section, may be disposed of at private sale by the register of the land office, for the same price which is or may be prescribed by law, for the sale of public lands in the Mississippi Territory. All the lands sold by virtue of this section, shall in every other respect be sold on the same terms of payment, and conditions, in the same manner, and under the same regulations as are, or may be, prescribed by law, for the sale of public lands in the Mississippi Territory: *Provided however*, Than [that] in case of an application being made at the same time, for the purchase at private sale of the same tract of land by two or more persons, one of whom did actually inhabit and cultivate such tract of land at the time of

Proviso.

passing this act, and still continues to inhabit and cultivate the same at the time of such application, the preference shall be given to the person thus inhabiting and cultivating such tract of land. *And provided also,* That till after the final decision of Congress thereon, no tract of land shall be offered for sale, the claim to which has been in due time, and according to law, presented to the register of the land office, and filed in his office, for the purpose of being investigated by the commissioners appointed for the purpose of ascertaining the rights of persons claiming lands in the Territory of Orleans; or which shall have been located by or for Major-General La Fayette, according to law. (d)

Proviso.

SEC. 7. *And be it further enacted,* That in addition to the township already reserved for that purpose by law in the western district of the Territory of Orleans, and which shall be located south of Red River, another entire township shall be located by the Secretary of the Treasury north of Red River, for the use of a seminary of learning, and also an entire township in the Territory of Louisiana, for the support of a seminary of learning within the said Territory. (g)

An additional township to be located in Orleans Territory for seminary of learning.

SEC. 8. *And be it further enacted,* That the surveyor-general shall cause such of the public lands in the Territory of Louisiana, as the President of the United States shall direct, to be surveyed and divided in the same manner and under the same regulations and limitation as to expenses, as is provided by law in relation to the lands of the United States, northwest of the river Ohio and above the mouth of Kentucky River. (b)

Surveyor-general to cause certain portions of public lands in Territory of Louisiana to be surveyed and divided.

SEC. 9. *And be it further enacted,* That for the disposal of the lands of the United States lying in the Territory of Louisiana, a land office shall be established, which shall be kept at such place as the President of the United States may direct; and a register and receiver of public monies shall be appointed for said office, who shall give security in the same manner, in the same sums, and whose compensations, emoluments, duties and authority, shall in every respect be the same, in relation to the lands which shall be disposed of at their office, as are or may be provided for by law in relation to the register and receiver of public monies in the several offices established for the disposal of the lands of the United States, northwest of the river Ohio, and above the mouth of Kentucky River. (c)

Office to be established for disposing of public land in Territory of Louisiana.

SEC. 10. *And be it further enacted,* That the President of the United States be, and he is hereby authorized, whenever he shall think proper, to direct so much of the public lands lying in the Territory of Louisiana, as shall have been surveyed in conformity with the eighth section of this act, to be offered for sale. All such lands shall, with the exception of the section "number sixteen," which shall be reserved in each township for the support of schools within the same, (e) with the exception also of a tract reserved for the support of a seminary of learning, (g) as provided for by the seventh section of this act, and with the exception also of the salt springs and lead mines, and lands contiguous thereto; which, by the direction of the President of the United States, may be reserved for the future disposal of the said States, (f) shall be offered for sale to the highest bidder, under the direction of the register of the land office and the receiver of public monies and of the principal deputy surveyor, and on such day or days as shall, by public proclamation of the President of the United States, be designated for that purpose. The sales shall remain open for three weeks and no longer. The lands shall be sold for a price not less than that which has been or may be fixed by law for the public lands, northwest of the river Ohio, and above the mouth of Kentucky River. And shall in every other respect be sold in tracts of the same size, on the same terms and conditions, as have been or may be by law provided for the lands sold in the State of Ohio. The superintendents of the said public sales shall each receive six dollars for each day's attendance on the said sales. All the lands which have been thus offered for sale, at public sale, remaining unsold at the closing of the public sales, may be disposed of at private sale by the register of the land office, for the same price which is or may be prescribed by law for the sale of public lands in the State of Ohio: *Provided however,* That till after the decision of Congress thereon, no tract of land shall be offered for sale, the claim to which has been in due time and according to law presented to the recorder of land titles in the District of Louisiana and filed in his office, for the purpose of being investigated by the commissioners appointed for ascertaining the

Lands in Territory of Louisiana to be offered for sale.

Proviso.

- rights of persons claiming lands in the Territory of Louisiana. And patents shall be obtained for all lands sold in the Territory of Louisiana, in the same manner and on the same terms as is or may be provided by law for land sold in the State of Ohio. (d)
- Patents how obtained.** SEC. 11. *And be it further enacted*, That the claim of the corporation of the city of New Orleans, to the common adjacent thereto, and within six hundred yards from the fortifications of the same, as confirmed by the act, entitled "An act respecting claims to lands in the Territories of Orleans and Louisiana," shall be deemed valid, although the relinquishment of the said corporation to any claim beyond the said distance of six hundred yards was not made till after the expiration of the period of six months prescribed by the act last mentioned. (h)
- Claim of corporation of Orleans to be deemed valid.** SEC. 12. *And be it further enacted*, That all the navigable rivers and waters in the Territories of Orleans and Louisiana shall be and for ever remain public highways.
- Navigable rivers to be public highways.** SEC. 13. *And be it further enacted*, That a sum not exceeding forty thousand dollars be, and the same is hereby appropriated, for the purpose of carrying this act into effect, which sum shall be paid out of unappropriated monies in the Treasury.
- Appropriation.** SEC. 14. *And be it further enacted*, That the act, entitled "An act providing for the final adjustment of claims to lands, and for the sale of the public lands in the Territories of Orleans and Louisiana," approved February the sixteenth, [fifteenth] eighteen hundred and eleven, be, and the same is hereby repealed. (i)
- Repeal of the act of Feb. 15, 1811.**
- (a) See Nos. 690, 701, 703, 704, 705, 706, 712, 716, 719, 721, 722, 723, 724, 725, 726, 731, 732, 737, 738, 739, 744, 745, 746, 749, 750, 753, 777, 790, 817, 819, 823, 832, 833, 854, 873, 882, 883, 904, 911, 946, 950, 957, 961, 967.
- (b) See Nos. 701, 703, 704, 706, 712, 722, 724, 727, 730, 731, 777, 803, 858.
- (c) See Nos. 701, 704, 706, 711, 715, 731, 737, 740, 831, 879, 905.
- (d) See Nos. 704, 706, 720, 726, 729, 730, 731, 732, 761, 766, 768, 812, 813, 840, 852, 860, 897, 899, 919, 920, 923, 933.
- (e) See Nos. 418, 704, 709, 832, 834, 835, 837, 841, 843, 853, 859, 863, 864, 861, 864, 865, 863.
- (f) See Nos. 704, 706.
- (g) See Nos. 704, 706, 708.
- (h) See Nos. 703, 706, 713, 724, 726.
- (i) See No. 703.

Dec. 12, 1811.
Vol. 2, p. 662.

No. 711.—AN ACT extending the time for opening the several land offices established in the Territory of Orleans.

Further time allowed for opening land offices. *Be it enacted, &c.*, That so much of the sixth section of an act, entitled "An act providing for the final adjustment of claims to lands and for the sale of the public lands in the Territories of Orleans and Louisiana, and to repeal the act passed for the same purpose and approved February sixteenth, [fifteenth] one thousand eight hundred and eleven," as directs that the several land offices established in the Territory of Orleans shall be opened on the first day of January and on the first day of February, one thousand eight hundred and twelve, be, and the same is hereby repealed.

Land offices to be opened on such days as may be designated by the President. SEC. 2. *And be it further enacted*, That the said land offices shall, respectively, be opened on such day or days as the President of the United States shall, by proclamation, designate for that purpose; and the public land shall, in every other respect, be offered for sale at the said offices in the same manner as is directed by the aforesaid act. (a)

(a) See Nos. 701, 704, 706, 710, 713, 731, 737, 740, 831, 879, 905.

March 10, 1812.
Vol. 2, p. 692.

No. 712.—AN ACT giving further time for registering claims to land in the western district of the Territory of Orleans.

Further time given for registering claims in the land office at Opelousas. *Be it enacted, &c.*, That every person or persons claiming lands in the western district of the Territory of Orleans, who are actual settlers on the land which they claim, and whose claims have not been heretofore filed with the register of the land office, for the said district, shall be allowed until the first day of November next, to deliver notices in writing, and the written evidences of their claims to the register of the land office at Opelousas; and the notices and evidences so delivered within the time limited by this act, shall be recorded in the same manner, and on payment of the same fees, as if the same had been delivered before the first day of July, one thousand eight hundred and eight; but the rights of such persons as shall neglect so doing within the time

limited by this act, shall, so far as they are derived from, or founded on any act of Congress, ever after be barred and become void, and the evidences of their claims never after admitted as evidence in any court of the United States against any grant derived from the United States.

SEC. 2. *And be it further enacted*, That the register and receiver of public monies of the said land office at Opelousas, shall have the same powers and perform the same duties in relation to the claims thus filed before the first day of November next, as if notice of the same had been given before the first day of July, one thousand eight hundred and eight, except that their decisions shall be subject to the revision of Congress. And it shall be the duty of the said register and receiver to make to the Secretary of the Treasury, a report of all the claims thus filed with the register of the land office, together with the substance of the evidence in support thereof, with their opinion, and such remarks thereon as they may think proper; which report, together with a list of the claims, which, in the opinion of the register and receiver, ought to be confirmed, shall be laid by the Secretary of the Treasury before Congress at their next session, for their determination thereon. The said register and receiver shall have power to appoint a clerk, whose duty shall be the same, in relation to the claims filed as aforesaid, as was required of the clerk to the board of commissioners for adjusting claims to land in the said district; and the said register, receiver and clerk, shall each be allowed fifty cents for each claim filed according to this act, and on which a decision shall be made, whether such decision be in favour of, or against the claim; which allowance of fifty cents, shall be in full compensation for their services under this act. (a)

Duties of the register and receiver of public monies of the land office at Opelousas.

The reports of the register and receiver to be laid before Congress.

Allowance on claims filed.

(a) See Nos. 699, 701, 703, 704, 705, 708, 710, 716, 718, 721, 722, 723, 724, 728, 731, 732, 737, 738, 739, 740, 745, 746, 749, 752, 753, 777, 790, 817, 819, 826, 832, 863, 864, 873, 889, 899, 904, 911, 946, 956, 957, 961, 967.

No. 713.—AN ACT granting to the corporation of the city of New Orleans the use and possession of a lot in the said city.

April 3, 1812.
Vol. 2, p. 700.

Be it enacted, &c., That all the right and claim of the United States to the use, possession and occupancy of a space of one hundred and fifty by one hundred and twenty-five feet of a vacant lot of ground, in the city of New Orleans, bounded by Bienville and Custom-house streets, and by Levee street and the high-road, be, and the same is hereby vested in the corporation of the said city. And the said corporation is authorized to use, possess and occupy the same, for the purpose of erecting or causing to be erected and kept in operation a steam engine, or engines, for conveying water into the said city, and all buildings necessary to the said purpose: *Provided*, That if the said space of ground shall not be occupied for the said purpose, within the term of three years, from and after the passing of this act, or shall at any time thereafter cease to be so occupied, for the term of three years, the right and claim of the United States thereto, shall remain unimpaired: *And provided also*, That this act shall not affect the claim, or claims of any individual or individuals, if any such there be. (a)

Right of the United States to a certain portion of ground in the city of New Orleans ceded to the city.

Proviso, that the ground shall be occupied within three years.

Proviso.

(a) See Nos. 705, 708, 710, 734, 739.

No. 714.—AN ACT for the admission of the State of Louisiana into the Union, and to extend the laws of the United States to the said State.

April 8, 1812.
Vol. 2, p. 701.

Whereas, the representatives of the people of all that part of the territory or country ceded, under the name of "Louisiana," by the treaty made at Paris, on the thirtieth day of April, one thousand eight hundred and three, between the United States and France, contained within the following limits, that is to say: beginning at the mouth of the river Sabine; thence, by a line to be drawn along the middle of said river, including all islands to the thirty-second degree of latitude; thence, due north, to the northernmost part of the thirty-third degree of north latitude; thence, along the said parallel of latitude, to the river Mississippi; thence, down the said river, to the river Iberville; and from thence, along the middle of the said river, and Lakes Maurepas and Ponchartrain, to the Gulf of Mexico; thence, bounded by the said gulf, to the place of beginning, including all islands within three leagues of the coast; did, on the twenty-second day of January, one

Preamble

thousand eight hundred and twelve, form for themselves a constitution and State government, and give to the said State the name of the State of Louisiana, in pursuance of an act of Congress, entitled "An act to enable the people of the Territory of Orleans to form a constitution and State government, and for the admission of the said State into the Union, on an equal footing with the original States, and for other purposes:" And the said constitution having been transmitted to Congress, and by them being hereby approved; therefore

Louisiana to be admitted into the Union, as an independent State.

Proviso.

Be it enacted, &c., That the said State shall be one, and is hereby declared to be one of the United States of America, and admitted into the Union on an equal footing with the original States, in all respects whatever, by the name and title of the State of Louisiana: *Provided,* That it shall be taken as a condition upon which the said State is incorporated in the Union, that the river Mississippi, and the navigable rivers and waters leading into the same, and into the Gulf of Mexico, shall be common highways, and for ever free, as well to the inhabitants of the said State as to the inhabitants of other States and the Territories of the United States, without any tax, duty, impost or toll therefor, imposed by the said State; and that the above condition, and also all other the conditions and terms contained in the third section of the act, the title whereof is herein before recited, shall be considered, deemed and taken, fundamental conditions and terms, upon which the said State is incorporated in the Union. (a)

SEC. 6. *And be it further enacted,* That this act shall commence and be in force from and after the thirtieth day of April, eighteen hundred and twelve.

(a) See Nos. 698, 699, 702, 707, 709, 715, 762.

April 14, 1812.
Vol. 2, p. 708.

NO. 715.—AN ACT to enlarge the limits of the State of Louisiana.

Limits of the State enlarged.

Be it enacted, &c., That in case the legislature of the State of Louisiana shall consent thereto, all that tract of country comprehended within the following bounds, to wit: beginning at the junction of the Iberville, with the river Mississippi; thence along the middle of the Iberville, the river Amite, and of the lakes Maurepas and Pontchartrain to the eastern mouth of the Pearl River; thence up the eastern branch of Pearl River to the thirty-first degree of north latitude; thence along the said degree of latitude to the river Mississippi; thence down the said river to the place of beginning, shall become and form a part of the said State of Louisiana, and be subject to the constitution and laws thereof, in the same manner, and for all intents and purposes as if it had been included within the original boundaries of the said State. (a)

(a) See Nos. 698, 699, 702, 707, 709, 714, 762.

April 14, 1812.
Vol. 2, p. 709.

NO. 716.—AN ACT giving further time for registering claims to land in the eastern district of the Territory of Orleans.

Further time allowed for registering claims.

Be it enacted, &c., That every person or persons claiming lands in the eastern district of the Territory of Orleans, who are actual settlers on the land which they claim, and whose claims have not been heretofore filed with the register of the land office for the said district, shall be allowed until the first day of November next to deliver notices in writing, and the written evidences of their claims, to the register of the land office at New Orleans; and the notices and evidences so delivered, within the time limited by this act, shall be recorded in the same manner, and on payment of the same fees, as if the same had been delivered before the first day of July, one thousand eight hundred and eight; but the rights of such persons as shall neglect so doing within the time limited by this act, shall, so far as they are derived from, or founded on, any act of Congress, ever after be barred and become void, and the evidences of their claims, never after admitted as evidence in any court of the United States, against any grant derived from the United States.

Limitation of notices.

Duties of register and receiver, &c.

SEC. 2. *And be it further enacted,* That the register and receiver of public monies of the said land office at New Orleans, shall have the same powers, and perform the same duties, in relation to the claims thus filed before the first day of November next, as if notice of the same had been

given before the first day of July, one thousand eight hundred and eight, except that their decision shall be subject to the revision of Congress. And it shall be the duty of the said register and receiver to make to the Secretary of the Treasury a report of all the claims thus filed with the register of the land office, together with the substance of the evidence in support thereof, with their opinion and such remarks thereon as they may think proper; which report, together with a list of the claims which, in the opinion of the register and receiver, ought to be confirmed, shall be laid by the Secretary of the Treasury before Congress, at their next session, for their determination thereon. The said register and receiver shall have power to appoint a clerk, whose duties shall be the same, in relation to the claims filed as aforesaid, as was required of the clerk to the board of commissioners for adjusting claims to lands in the said district; and the said register, receiver and clerk, shall each be allowed fifty cents for each claim filed according to this act, and on which a decision shall be made, whether such decision be in favour of, or against the claim; which allowance of fifty cents shall be in full compensation for their services under this act. (a)

To report to the Secretary of the Treasury.

Allowance of fees.

(a) See Nos. 699, 701, 703, 704, 705, 708, 710, 712, 718, 721, 722, 723, 724, 728, 731, 732, 737, 738, 739, 740, 745, 746, 749, 752, 753, 777, 790, 817, 819, 826, 852, 863, 864, 873, 889, 899, 904, 911, 946, 956, 957, 961, 967.

No. 717.—AN ACT to authorize the Secretary for the Department of War to exchange lands, with the Ursuline Nuns, of the city of New Orleans.

April 23, 1812.
Vol. 6, p. 107.

Be it enacted, &c., That the Secretary for the Department of War be, and he is hereby authorized and empowered to exchange the lot of ground, situate in the city of New Orleans, on which the military hospital of the United States stands, with the Ursuline Nuns of said city, whose convent adjoins or is near the same, for such other lot or lots of ground, in said city of New Orleans, or its vicinity, owned by the said nuns, as, in the opinion of said Secretary, shall be conveniently situated for a military hospital and of equal value with the said lot on which the said hospital now stands, including the value of said hospital.

Secretary of War empowered to exchange a lot of ground in New Orleans with the Ursuline Nuns.

SEC. 2. *And be it further enacted*, That in case of such exchange, the Secretary for the Department of War is hereby authorized and empowered to make, execute and deliver, in behalf of the United States, to the said Ursuline Nuns, or to such person or persons as they may designate, a deed or other instrument in writing, therein and thereby conveying to them all the right and title of the United States, in and to the said lot of ground aforesaid, reserving however to the United States the use of said hospital, for such time as he shall judge necessary; and the Secretary for the Department of War is hereby also authorized to take and receive from the said Ursuline Nuns, or from such person or persons, as may be authorized in their behalf for that purpose, a deed or deeds or other instrument in writing, conveying to the United States a good and sufficient title to the lot or lots of ground, which he may agree to take in exchange; and which deed or deeds, or other instrument in writing, shall contain the necessary covenants to secure to the United States in case of any failure of title thereto.

To make a deed to them for the lot.

And to receive one from them in behalf of the United States.

No. 718.—AN ACT for ascertaining the titles and claims to lands in that part of the Louisiana which lies east of the river Mississippi and island of New Orleans.

April 25, 1812.
Vol. 2, p. 713.

Be it enacted, &c., That for the purpose of ascertaining the titles and claims to lands in that tract of country which lies south of the Mississippi Territory, east of the river Mississippi and Island of New Orleans, and west of the river Perdido, and a line drawn with the general course thereof to the southern boundary of the said Mississippi Territory, the lands within the said limits shall be laid off into two land districts, between which Pearl River shall be the boundary; and for each of which districts a commissioner for land claims shall be appointed by the President of the United States, with the advice and consent of the Senate. The said commissioners shall, respectively, have power to appoint a clerk, who shall be a person capable of translating the French and Spanish languages, and who shall, in addition to the other duties required of him by this act, perform the duties of translator, when re-

Two land districts to be laid off.

Commissioners to be appointed.

Clerk.

- Oath. quired by the commissioner. And the said commissioners and clerk shall, before entering on the duties of their appointments, respectively take an oath or affirmation, truly and faithfully to execute the duties imposed on them by this act. (a)
- Commissioners and clerks to attend in the parishes. SEC. 2. *And be it further enacted*, That for the more convenient ascertainment of the titles and claims to lands as aforesaid, it shall be the duty of each of the said commissioners, respectively, and their clerks, to attend in each of the several parishes in his district, at such time and place therein as he shall appoint, for the purpose of receiving notices and evidences of titles and claims to lands within the same; and when the commissioners shall have appointed the time and place for his attendance in any parish, he shall cause public notice thereof to be given to the inhabitants of the same, for at least twenty days previous to the time of his commencing the business of his appointment therein.
- Twenty days' notice to be given. SEC. 3. *And be it further enacted*, That each commissioner, after he shall have attended for a reasonable and sufficient length of time in each parish of his district, for the claimants of lands within the same to have delivered the notices and evidences of their claims, shall establish his office at such place in his district as he shall judge most convenient, and of which he shall give public notice; and every person claiming lands within his district, who shall have neglected, or by any circumstance have been prevented from delivering a notice and evidence of his claims, during the time the commissioner attended in the parish in which the lands he may claim are situate, shall be at liberty, at any time before the end of six months from and after such office shall have been established, to deliver a notice and the evidence of his claims; and it shall have the same effect as if delivered in the parish wherein the lands claimed are situated.
- Each commissioner to keep an office. SEC. 4. *And be it further enacted*, That every person claiming lands in the tract of country aforesaid, by virtue of any grant, order of survey, or other evidence of claim whatsoever, derived from the French, British or Spanish Governments, shall deliver to the commissioner for land claims, when attending for the purpose, in the parish in which the lands claimed may lie, a notice in writing, stating the nature and extent of his claims, together with the plat (in case a survey shall have been made) of the tract or tracts claimed; and shall deliver to the commissioner when attending as aforesaid, for the purpose of being recorded, every grant, order of survey, deed, conveyance, or other written evidence of his claim; and the same shall be recorded by the clerk, in books to be kept for that purpose, on his receiving from the party or parties at the rate of twelve and a half cents for every hundred words contained in such written evidence of their claim: *Provided however*, That where lands are claimed by virtue of a complete French, British or Spanish grant, it shall not be necessary for the claimant to have any other evidence of his claim entered at large on the record, except the original grant or patent, together with the order of survey, and the plat; all the other conveyances or deeds may be abbreviated in the entry; but the chain of title, and the date of every transfer shall appear on the record. And if such person shall neglect to deliver such notice in writing of his claim, together with the plat (in case the lands claimed shall have been surveyed) as aforesaid, or cause to be recorded such written evidence of the same within the time and times as aforesaid, his claim shall never after be recognized or confirmed by the United States; nor shall any grant, order of survey, deed, conveyance, or other written evidence, which shall not be recorded as above directed, ever after be considered or admitted as evidence in any court of the United States, against any grant which may hereafter be derived from the United States.
- Six months allowed to deliver notice and evidence. SEC. 5. *And be it further enacted*, That the said commissioners shall have power, in their respective districts, to inquire into the justice and validity of the claims filed with them as aforesaid: it shall be their duty to ascertain in every case, whether the lands claimed have been inhabited and cultivated; at what time such inhabitation and cultivation commenced; when surveyed, and by whom and what authority; and into every other matter respecting the claims which may affect the justice and validity thereof; and for that purpose shall have power to administer oaths, and to compel the attendance of, and examine witnesses and such other testimony as may be adduced; to have access to all records of a public nature, relative to the granting, sale, transfer or titles of lands within their respective districts, and to take transcripts
- Any French, British, or Spanish grants. To be delivered for recording. Recording fees. Complete French, British, or Spanish grants. Neglect to give notice invalidates the claim. And prevents proof of claim being evidence against other grants. Duty and power of commissioners.

from such record or records or any part thereof; and the evidence thus adduced and obtained, shall by the clerk, be entered in a book to be kept for that purpose. (b) Clerk to enter evidence.

SEC. 6. *And be it further enacted*, That the powers vested by law in the surveyor of the lands of the United States south of the State of Tennessee, shall extend over all the public lands in the said tract of country. (c) Surveyor of lands south of the Tennessee, powers enlarged.

SEC. 7. *And be it further enacted*, That the said commissioners shall respectively, under such instructions as the Secretary of the Treasury may, with the approbation of the President of the United States, transmit to them in relation thereto, prepare, and cause to be prepared, abstracts from the records of the claims filed as aforesaid, in which the claims shall be arranged into classes, according to their respective merits, and other circumstances whereby they may be diversified; the abstracts shall contain the substance of the evidence adduced in support of, or obtained respecting the claims, and shall contain such other information and remarks as may be necessary to a proper decision thereon, which abstracts the commissioners shall respectively, as soon as may be, report to the Secretary of the Treasury, and shall by him be laid before Congress at the next session thereafter for their determination thereon. Abstracts to be made out and forwarded to the Secretary of the Treasury by the commissioners.

SEC. 8. *And be it further enacted*, That the said commissioners be, and they are hereby authorized and required to collect and report to Congress, at their next session, a list of all the actual settlers on land in said districts, respectively, who have no claims to land derived either from the French, British or Spanish Governments, and the time at which such settlements were made. A list of actual settlers to be made by commissioners and reported to Congress.

SEC. 9. *And be it further enacted*, That each of the said commissioners shall be allowed as compensation for his services in relation to the said claims, at the rate of fifteen hundred dollars a year; and each of the clerks, at the rate of one thousand dollars a year: *Provided*, that not more than eighteen months' compensation be thus allowed to the commissioner and clerk for the district east of Pearl River; nor more than two years' compensation be allowed to the commissioner and clerk for the district west of Pearl River; and the commissioner for the eastern district, on making his report to the Secretary of the Treasury, as aforesaid, shall be entitled to receive in addition seven hundred and fifty dollars, and his clerk five hundred dollars; and the commissioner for the western district, on making his report aforesaid, shall receive one thousand dollars, and his clerk seven hundred and fifty dollars; and the said allowances shall be in full for their services under this act. (b) Rates of compensation.
 Proviso.

(a) See Nos. 701, 704, 708, 710, 711, 731, 737, 740, 831, 879, 965.

(b) See Nos. 699, 701, 703, 704, 705, 708, 710, 712, 716, 721, 722, 723, 724, 728, 731, 732, 737, 738, 739, 740, 745, 746, 749, 752, 753, 777, 790, 817, 819, 826, 852, 863, 864, 873, 889, 899, 904, 911, 946, 956, 957, 961, 967.

(c) See Nos. 701, 703, 704, 708, 710, 722, 724, 727, 730, 731, 777, 803, 858.

No. 719.—AN ACT granting to the governor of the State of Louisiana, for the time being, and his successors in office, a lot of ground, and the buildings thereon, in the city of New Orleans.

April 29, 1812.
Vol. 6, p. 108.

Be it enacted, &c., That all the right and claim of the United States to the use, possession, and occupancy of a space, of three hundred and thirty-six by two hundred and twenty feet, of a lot of ground in the city of New Orleans, bounded by Chartres and Levee streets, and by Toulouse street, and the lot of the widow Castillon, together with the house on the above described lot, known by the name of the Government house, and the other buildings thereon, be, and the same are hereby, vested in, and conveyed to, the governor of the State of Louisiana for the time being, and his successors in the same office, for the sole use and benefit of the said State of Louisiana, forever: *Provided, however*, That this act shall not affect the claim or claims of any individual or individuals, if any such there be. The right of the United States to a lot of ground, as described, and the Government house, &c., thereon, vested in the governor of Louisiana, &c., for the use and benefit of the State.
 Proviso: this act not to affect the claims of individuals, &c.

No. 720.—AN ACT giving validity to the sale of certain tracts of public lands sold in the western district of the Territory of Orleans, now State of Louisiana.

July 1, 1812.
Vol. 2, p. 774.

Be it enacted, &c., That the sale of the several tracts of public lands sold in the month of January, one thousand eight hundred and twelve, at the public sales held under the superintendence of the register of the Sales of lands in the month of

January, 1812, land office, and the principal deputy surveyor of the western district of the Territory of Orleans (now State of Louisiana,) be, and the same is hereby made good and valid, to all intents and purposes, any law to the contrary notwithstanding: and the purchasers of the said tracts shall severally, on completing the payment of the purchase money, according to law, be entitled to receive a patent or patents for the lands so purchased and paid for, as in case of other lands sold by the United States; the first instalment of the purchase money shall be considered as due and payable at ten days after the receiver of public monies, for the district within which the lands lie, shall have entered on the discharge of the duties of his office. (a)

Purchasers on complying with the terms of sale to have patents.

contrary notwithstanding: and the purchasers of the said tracts shall severally, on completing the payment of the purchase money, according to law, be entitled to receive a patent or patents for the lands so purchased and paid for, as in case of other lands sold by the United States; the first instalment of the purchase money shall be considered as due and payable at ten days after the receiver of public monies, for the district within which the lands lie, shall have entered on the discharge of the duties of his office. (a)

(a) See Nos. 704, 708, 710, 722, 729, 730, 731, 732, 761, 768, 786, 813, 818, 849, 858, 860, 897, 899, 919, 920, 928, 963.

Feb 27, 1813.
Vol. 2, p. 807.

No. 721.—AN ACT giving further time for registering claims to lands in the eastern and western districts of the Territory of Orleans, now State of Louisiana.

Actual settlers allowed a further time for filing their claims with the register of the land office at New Orleans and Opelousas.

Be it enacted, &c., That every person or persons claiming lands in the eastern or western district of the Territory of Orleans, now State of Louisiana, who are actual settlers on the land which they claim, and whose claims have not been heretofore filed with the register of the land office for the district wherein the lands lie, shall be allowed until the first day of January next, to deliver notices in writing, and the written evidences of their claims, in the said districts respectively, to the register of the land office at New Orleans and Opelousas; and the notices and evidences so delivered within the time limited by this act, shall be recorded in the same manner, and on payment of the same fees, as if the same had been delivered before the first day of July, one thousand eight hundred and eight; but the rights of such persons as shall neglect so doing within the time limited by this act, shall, so far as they are derived from, or founded on, any act of Congress, ever after be barred and become void, and the evidences of their claims never after admitted as evidence in any court of the United States against any grant derived from the United States.

Claims forfeited that are not thus entered.

SEC. 2. *And be it further enacted,* That every person or persons who had filed his or their notice of claim to lands lying within either of the said districts with the proper register of the land office, according to former laws, but have not exhibited any testimony or written evidence in support of the same, and whose claim has not been confirmed by the commissioners appointed to ascertain and settle claims to lands in the said districts, shall be allowed until the first day of January next, to deliver the written evidence or other testimony in support of his or their claim, the notice of which had been filed as aforesaid, to the register of the land office at New Orleans, for lands lying in the eastern district, and the register of the land office at Opelousas, for lands lying in the western district; and every written evidence of claim, the notice whereof had been filed as aforesaid, for lands lying in the said districts, delivered, within the time limited by this section, to the said registers, shall by them respectively be recorded in the same manner as was directed, and on receiving the same fees allowed by former acts for recording evidence of claim to lands in the same districts; and the right of any such persons neglecting to deliver the evidence of their claims as above mentioned, shall become barred and void in so far as the same is derived from the United States, and the evidence thereof be incapable of being admitted in any court whatsoever against any grant derived from the United States.

Claims barred, if not entered.

Same powers given to the register and receiver of public monies at the land offices of New Orleans and Opelousas as if the claims had been filed before July, 1, 1808.

SEC. 3. *And be it further enacted,* That the register and receiver of public monies of the said respective land offices at New Orleans and Opelousas, shall have the same powers and perform the same duties in every respect in relation to the claims that may be filed according to the first section of this act, and the claims, notice of which had been given under former acts, and the evidence in support thereof shall have been delivered, according to the second section of this act, as the board of commissioners, for ascertaining and adjusting claims to lands in the same districts, would have had or should have performed, if such notice had been filed, and such evidence delivered before the first day of July, one thousand eight hundred and eight, except, that their decisions shall be subject to the revision of Congress.

Register, &c., to report to the

SEC. 4. *And be it further enacted,* That it shall be the duty of the register and receiver of each of the said land offices respectively, to

make to the Commissioner of the General Land Office, a report of all the claims filed with the register as aforesaid, with the substance of the evidence in support thereof, and of the claims formally filed, in support of which evidence shall have been received, with the substance of such evidence, and also their opinion and such remarks respecting the claims as they may think proper to make; which report, together with a list of the claims, which in the opinion of the register and receiver ought to be confirmed, shall be laid by the Commissioner of the General Land Office before Congress, at their next session, for their determination thereon.

SEC. 5. *And be it further enacted*, That the register and receiver for each of the aforesaid land offices shall have power to appoint a clerk, whose duties shall be the same, in relation to the aforesaid claims, as were required of the clerk to the board of commissioners for the same districts; and the said registers, receivers, and clerks, shall each be allowed fifty cents for each claim on which a decision shall be made, in their respective districts, whether such decision be in favour or against the claims; which allowance of fifty cents shall be in full compensation for their services under this act. And a further sum of fifty cents shall be allowed on each claim decided as aforesaid, to defray the expense of making translations from the French and Spanish languages. (a)

(a) See Nos. 699, 701, 703, 704, 705, 708, 710, 712, 716, 718, 722, 723, 724, 728, 731, 732, 737, 738, 739, 740, 745, 746, 749, 752, 753, 777, 790, 817, 819, 826, 852, 863, 864, 873, 889, 899, 904, 911, 946, 956, 957, 961, 967.

No. 722.—AN ACT for the final adjustment of land titles in the State of Louisiana and Territory of Missouri.

April 12, 1814.
Vol. 3, p. 123.

Be it enacted, &c., That every person or persons, or the legal representatives of any person or persons claiming lands in the State of Louisiana, or the Territory of Missouri, by virtue of any incomplete French or Spanish grant or concession, or any warrant or order of survey, which was granted prior to the twentieth of December, one thousand eight hundred and three, for lands lying within that part of the State of Louisiana which composed the late Territory of Orleans, or which was granted for lands lying within the Territory of Missouri, before the tenth day of March one thousand eight hundred and four, and where the claimant, or the person under whom he claims, were resident in the province of Louisiana at the respective times aforesaid, or at the time the said concession, warrant, or order of survey was granted, and whose claims have been filed with the proper register or recorder of land titles according to law, and are embraced in the report of the commissioners, or register, or recorder, for the district within which the lands claimed do lie, in every case where it shall appear by the said report of the commissioners, register, or recorder, that the concession, warrant, or order of survey, under which the claim is made, contains a special location, or had been actually located or surveyed within the late Territory of Orleans before the twentieth day of December, one thousand eight hundred and three, or actually located or surveyed within the Territory of Missouri, before the tenth day of March, one thousand eight hundred and four, by a surveyor duly authorized by the government making such grant, such persons shall be, and, they are hereby, confirmed in their claims: *Provided*, That no claim shall be confirmed by this section which shall have been adjudged by either of the boards of commissioners, or a register or receiver of public moneys, or a recorder acting as such, to be antedated or otherwise fraudulent: nor any one to claim a greater quantity of land than the number of acres contained in one league square; nor the claim of any person, in his own right, who has received, in his own right, a donation grant from the United States, in said State or Territory: *And provided also*, That no confirmation made by this section shall affect the rights of any person claiming the same lands or any part thereof, whose claim has been confirmed by a board of commissioners for ascertaining and adjusting claims to land in said State or Territory, nor preclude a judicial decision between private claimants in such interfering claims.

Certain claimants confirmed in their titles or claims.

Proviso.

Proviso.

SEC. 2. *And be it further enacted*, That every person or persons claiming lands in the said State or Territory, by right of donation under any former laws, whose claims are contained in the report of any of the boards of commissioners, or the report of the register and receiver of public moneys, or of the recorder of land titles, made or hereafter to be

Certain other claims confirmed.

Proviso.

The proper registers of land offices and recorder of land titles to give the necessary certificates.

Made the duty of the principal deputy surveyor to survey the lands designated by the orders of survey.

Actual settlers entitled to pre-emption.

made under existing laws, and which claims shall appear by the said reports not to have been confirmed, merely because the tracts claimed were not inhabited on the twentieth of December, one thousand eight hundred and three, such person or persons shall be and they are hereby confirmed in their respective claims: *Provided*, That in every other respect such claims shall be embraced by the provisions, and conform to the limitations and restrictions, prescribed by former laws for granting the right of donations in the said State and Territory.

SEC. 3. *And be it further enacted*, That it shall be the duty of the several registers of the land offices, and of the recorder of land titles in the State or Territory aforesaid, with whom the claims in their respective districts have been entered, which are confirmed by this act, in all cases where the land has not been surveyed according to law, to make out, for the principal deputy surveyor of the district in which the land lies, an order of survey for each tract of land confirmed under this act, with a proper description of the tracts to be surveyed, wherein the quantity, locality, boundaries, and connection, when practicable, with each other, and the tracts which have been heretofore confirmed, shall be stated; and on the return of the plat of survey, or where an order of survey is not necessary, the said register or recorder of land titles shall, on application for that purpose, make out for each claimant, entitled thereto by the provisions of this act, a certificate of confirmation, directed to the Commissioner of the General Land Office, and if [it] shall appear to the satisfaction of said Commissioner, that such certificate shall have been fairly obtained according to the true intent and meaning of this act, then and in that case patents shall be granted in like manner as is provided by law for the other lands of the United States. And the said register or recorder shall be entitled to receive from the person applying therefor, where he shall have previously issued an order of survey, for such order of survey and certificate, the sum of one dollar and fifty cents, and for each certificate without an order of survey, the sum of one dollar. (a)

SEC. 4. *And be it further enacted*, That it shall be the duty of the principal deputy surveyor, on receiving an order of survey from the register or recorder of land titles, and the surveying fees from the claimant, which shall not exceed three dollars for every mile to be surveyed and marked, to survey or cause to be surveyed, under the direction of the surveyor-general, or surveyor of the lands south of the State of Tennessee, the several tracts of land confirmed by this act; and the said principal deputy surveyor shall make return of the surveys in separate plats to the register or recorder of the district within which the land lies, and also transmit to the surveyor-general, or surveyor of the lands south of the State of Tennessee, as the case may be, a plat or plats of the surveys directed to be made by this section, who shall respectively transmit copies thereof to the Commissioner of the General Land Office. (b)

SEC. 5. *And be it further enacted*, That every person, and the legal representatives of every person, who has actually inhabited and cultivated a tract of land lying in that part of the State of Louisiana which composed the late Territory of Orleans, or in the Territory of Missouri, which tract is not rightfully claimed by any other person, and who shall not have removed from said State or Territory, shall be entitled to the right of pre-emption in the purchase thereof, under the same restrictions, conditions, provisions and regulations, in every respect as is directed by the act, entitled "An act giving the right of pre-emption in the purchase of lands, to certain settlers in the Illinois Territory," passed February fifth, one thousand eight hundred and thirteen. (c)

(a) See Nos. 699, 701, 703, 704, 705, 708, 710, 712, 716, 718, 721, 723, 724, 728, 731, 732, 737, 738, 739, 740, 745, 746, 749, 752, 753, 777, 790, 817, 819, 836, 838, 853, 854, 873, 889, 890, 904, 911, 946, 956, 961, 967.

(b) See Nos. 701, 703, 704, 708, 710, 718, 724, 727, 730, 731, 777, 803, 838.

(c) See Nos. 334, 704, 708, 710, 720, 729, 730, 731, 732, 761, 768, 786, 813, 812, 849, 852, 860, 897, 899, 919, 920, 928, 963.

April 18, 1814.
Vol. 3, p. 137.

No. 723.—AN ACT supplemental to an act, entitled "An act for ascertaining the titles and claims to lands in that part of Louisiana which lies east of the river Mississippi and island of New Orleans."

Time extended for filing claims.

Be it enacted, &c, That the time for delivering notices and the evidences of claims to lands as required by the act to which this is a supplement, be, and the same hereby is extended until the first day of September next.

SEC. 2. *And be it further enacted,* That it shall be the duty of the commissioners appointed under the act aforesaid, to receive such evidences as to them may be offered in support of any claims which may not be embraced by said act, and to report the same, together with those referred to in the first section of this act, on or before the first day of November next, to the Commissioner of the General Land Office, to be by him laid before Congress at their next session.

SEC. 3. *And be it further enacted,* That the commissioner for the district east of Pearl River and west of the Perdido be, and he is hereby authorized and required to receive and make report as aforesaid on all claims to lands lying east of the river Tombigbee. (a)

(a) See Nos. 699, 701, 703, 704, 705, 708, 710, 712, 716, 718, 721, 722, 724, 728, 731, 732, 737, 738, 739, 740, 745, 746, 749, 752, 753, 777, 790, 817, 819, 826, 852, 863, 864, 873, 889, 899, 904, 911, 946, 956, 957, 961, 967.

No. 724.—AN ACT concerning certificates of confirmation of claims to lands in the State of Louisiana.

April 18, 1814.
Vol. 3, p. 139.

Be it enacted, &c., That in all cases where certificates of confirmation to lands lying in either of the land districts established by law in the State of Louisiana, have been issued agreeably with the provisions of the act, entitled "An act respecting claims to lands in the Territories of Orleans and Louisiana," passed the third [day of] March, one thousand eight hundred and seven, and which were directed to be filed with the proper register of the land office within twelve months after date, and on claims which are included in the transcript of *divisions* [decisions] made in favour of claimants and transmitted to the Secretary of the Treasury, the said certificates shall, in every case where the lands have not been already surveyed according to law, be by the said registers delivered to the principal deputy surveyor of the district, together with the proper descriptions of the tracts to be surveyed, wherein the quantity, locality, and connexion, when practicable with each other, shall be stated at any time after the expiration of three months from the passage of this act, (unless the claimant shall otherwise specially direct,) whose duty it shall be, under the direction of the surveyor of the lands south of Tennessee, to accurately survey the land at the expense of the United States, according to the said certificates of confirmation and description, and make general and particular plats thereof, which he shall return to the office of the proper register, together with the original certificates; and it shall be the further duty of the said surveyor to make a like return of the plats to the Commissioner of the General Land Office: *Provided,* The expense of surveying the said tracts shall not exceed that allowed by law for surveying the public lands in the said State. (a)

Regulations concerning certificates of confirmation.

Surveys to be made when necessary.

SEC. 2. *And be it further enacted,* That so soon as the said tracts of land shall have been thus surveyed, and the surveys thereof returned to the office of the proper register, together with the original certificates of the commissioners, it shall be the duty of the said register to issue certificates in favour of the claimants entitled thereto, which he shall transmit to the Commissioner of the General Land Office, and if it shall appear to the satisfaction of the said Commissioner that the certificates have been fairly obtained, and correspond with the transcript heretofore transmitted to the Secretary of the Treasury, and the plats returned by the surveyors, patents shall be granted in like manner as is provided by law for the other public lands of the United States; which patents shall be transmitted by the Commissioner of the General Land Office to the proper register, to be by him delivered to the claimants entitled thereto; and the said register for delivering the certificates and descriptions of the tracts to the surveyor, making out and forwarding the returns to the General Land Office, and delivering the patents, shall be entitled to, and receive from each claimant, the sum of two dollars for each patent so delivered. (b)

Patents to be granted upon them.

(a) See Nos. 701, 703, 704, 708, 710, 718, 722, 727, 730, 731, 777, 803, 858.

(b) See Nos. 699, 701, 703, 704, 705, 708, 710, 712, 716, 718, 721, 722, 723, 728, 731, 732, 737, 738, 739, 740, 745, 746, 749, 752, 753, 777, 790, 817, 819, 826, 852, 863, 864, 873, 889, 899, 904, 911, 946, 956, 957, 961, 967.

April 18, 1814. **No. 725.**—AN ACT granting to the president and directors of the New Orleans Navigation Company, and their successors, a lot of ground.

The right and claim of the United States to a lot of ground in the county of Orleans, &c., as described, with the improvements, vested in and conveyed to the president and directors of the Orleans Navigation Company.

Be it enacted, &c., That all the right and claim of the United States to a lot of ground in the county of Orleans, and State of Louisiana, bounded above by the lands of Don Miguel, and fronting on the bayou St. John, containing one hundred and eighty feet front and five hundred and forty feet back, including the improvements thereon, now occupied by the said company, be, and the same hereby is, vested in and conveyed to the president and directors of the Orleans Navigation Company, for the time being, and their successors, for the use and benefit of the said company forever. (a)

(a) See No. 726.

April 16, 1816. **No. 726.**—AN ACT confirming to the Navigation Company of New Orleans the use and possession of a lot in the said city.

Title of United States to certain lot confirmed to New Orleans Navigation Company.

Be it enacted, &c., That all the right and claim of the United States to the title, possession, and occupancy, of a lot of ground of three hundred feet front on Rampart street, in the city of New Orleans, by six hundred feet in depth, on a line with St. Peter street, on which was erected the former hospital of charity, in the said city, be, and the same is hereby vested in the Navigation Company of New Orleans: *Provided,* That nothing in this act contained shall affect the claim or claims of any individual or individuals, if any such there be. (a)

(a) See No. 725.

April 29, 1816. **No. 727.**—AN ACT to provide for the appointment of a surveyor of the public lands in the Territories of Illinois and Missouri.

Part of the act of Feb. 28, 1806, repealed.

SEC. 3. *And be it further enacted,* That so much of the act entitled "An act extending the powers of the surveyor-general to the Territory of Louisiana, and for other purposes," passed February twenty-eighth, one thousand eight hundred and six, as provides for the appointment of a principal deputy surveyor, and so much of any act of Congress here[to]-fore passed, as is repugnant to, or inconsistent with, any provision of this act, be, and the same is hereby repealed. (a)

(a) See Nos. 701, 703, 704, 706, 710, 718, 722, 724, 730, 731, 777, 803, 858.

April 29, 1816. **No. 728.**—AN ACT for the confirmation of certain claims to land in the western district of the State of Louisiana and in the Territory of Missouri.

Preamble.

Whereas by the eighth section of the act of third [of] March, one thousand eight hundred and seven, it is required that the commissioners for ascertaining and adjusting the titles and claims to land in the then Territories of Orleans and Louisiana, should arrange their reports into three general classes, the second of which classes should contain claims which, though not embraced by the provisions of the several acts of Congress, ought nevertheless, in the opinion of the commissioners, to be confirmed, in conformity with the laws, usages and customs of the Spanish Government: And whereas, the commissioners, in and for the western district of the State of Louisiana, formerly Territory of Orleans, in their several reports of the sixteenth of October, one thousand eight hundred and twelve, fourth of December, one thousand eight hundred and twelve, ninth of March, one thousand eight hundred and thirteen, sixth of April, one thousand eight hundred and fifteen, first of May, one thousand eight hundred and fifteen, and fourth of May, one thousand eight hundred and fifteen, have formed this second class, recommending the claims which it embraces, for confirmation, and have designated the same, by letter B, and the register of the land office and receiver of public moneys, acting as commissioners for adjusting the titles and claims to land in the said district, in their report, dated the thirtieth day of December, one thousand eight hundred and fifteen, under the act giving further time for registering claims to land in the western district of the Territory of Orleans, passed the tenth day of March, one thousand eight hundred and twelve, the "Act giving further time for registering claims to land in the eastern and western district of the Territory of Orleans," passed the twenty-seventh day of February,

one thousand eight hundred and thirteen, and the act of the twelfth day of April, one thousand eight hundred and fourteen, have arranged the claims into the following classes, to wit: one, two, three, four, five, six, seven, eight, nine, ten, eleven; Therefore,

SEC. 1. *Be it enacted, &c.*, That the claims marked B, and described in the several classes in the above-mentioned reports of the commissioners for the western district of the State of Louisiana, formerly Territory of Orleans, and recommended by them for confirmation, be, and the same are hereby confirmed: *Provided nevertheless*, That under no one claim shall any person or persons be entitled, under this act, to more than the quantity contained in a league square. Confirmation of certain claims.
Proviso.

SEC. 2. *And be it further enacted*, That all claims embraced in the reports of the recorder of land titles, acting as commissioner for ascertaining and adjusting the titles and claims to land, in the Territory of Missouri, dated November first, one thousand eight hundred and fifteen, and February second, one thousand eight hundred and sixteen, where the decision of the said commissioner is in favour of the claimants, shall be, and the same are hereby confirmed, to wit: confirmations of village claims under the act of Congress of the thirteenth day of June, one thousand eight hundred and twelve: grants of the late board of commissioners, appointed for ascertaining and adjusting the titles and claims to land in the Territory of Missouri, extended by virtue of the fourth section of the act of the third of March, one thousand eight hundred and thirteen; grants and confirmations under the several acts of Congress, commencing with the act of the thirteenth day of June, one thousand eight hundred and twelve. Certain other claims confirmed.

SEC. 3. *And be it further enacted*, That in all cases not provided for by law for patent certificates to issue, every person and the legal representative of every person, whose claim to a tract of land is confirmed by this or any former act, and who has not already obtained a patent certificate for the same, shall, whenever his claim shall have been located and surveyed according to law, be entitled to receive from the register of the land office at Opelousas, in the State of Louisiana, or from the recorder of land titles in the Territory of Missouri, as the case may be, a certificate, stating that the claimant is entitled to a patent for such tract of land, by virtue of this act, for which certificate the officer issuing the same shall receive one dollar, and the certificate shall entitle the party to a patent for the tract of land, which shall issue in like manner as is provided by law for patents to issue for lands purchased of the United States. (a) In cases not provided for by law, if claim is confirmed a patent to issue.
Fees.

(a) See Nos. 699, 701, 703, 704, 705, 708, 710, 712, 716, 718, 721, 722, 723, 724, 731, 732, 737, 738, 739, 740, 745, 746, 749, 752, 753, 777, 790, 817, 819, 826, 852, 863, 864, 873, 889, 899, 904, 911, 946, 956, 957, 961, 967.

No. 729.—AN ACT concerning pre-emption rights given in the purchase of lands to certain settlers in the State of Louisiana, and in the Territory of Missouri and Illinois.

April 29, 1816.
Vol. 3, p. 330.

Be it enacted, &c., That any person, and the legal representatives of any person entitled to a preference in becoming the purchaser, from the United States, of a tract of land, at private sale in the State of Louisiana, and in the Territories of Missouri and Illinois, according to the provisions of the act, entitled "An act giving the right of pre-emption, in the purchase of lands, to certain settlers in the Illinois Territory," passed February fifth, one thousand eight hundred and thirteen, and the fifth section of the "Act for the final adjustment of land titles in the State of Louisiana, and Territory of Missouri," passed April twelfth, one thousand eight hundred and fourteen, who is settled on a fraction of a section or fractional quarter-section, containing less than one hundred and sixty acres, shall have the privilege of purchasing one or more adjoining fractional quarter-sections, or the adjoining quarter-section, including their improvements, or the fraction improved by them, at their option; and the provisions of the said recited acts are hereby made applicable to them, so far as they are consistent with the provisions of this act. Pre-emption right secured.

SEC. 2. *And be it further enacted*, That in cases where two or more persons entitled to the right of pre-emption, shall be settled upon one quarter or fractional quarter-section of land, each person shall be authorized to purchase one or more quarter-sections, or fractional quarter-sections, of the section or fractional section of land upon which they How the claims of several persons settlers upon land are to be adjusted.

are so settled; and the section or fractional section upon which such persons are settled shall be equally divided between them, in such manner as the register and receiver, within whose district the land lies, shall determine and direct, so as to secure, as far as may be practicable, to every such person their improvements respectively, and where the improvement of such person shall be upon two or more quarter-sections, such person shall be entitled to purchase the quarter-sections upon which his improvement shall be. (a)

(a) See Nos. 704, 708, 710, 720, 722, 730, 731, 732, 761, 768, 786, 813, 818, 849, 858, 890, 897, 899, 919, 920, 928, 963.

April 20, 1818.
Vol. 3, p. 465.

No. 780.—AN ACT authorizing the disposal of certain lots of public ground in the city of New Orleans and town of Mobile.

The President may abandon the use of the navy, arsenal, military hospital and barracks in New Orleans, and of Fort Charlotte, at Mobile, and cause the ground whereon they stand to be laid off into lots, &c.

A plat thereof to the Secretary of the Treasury, &c.

The lots to be offered at public sale, &c.

The President may cause Fort St. Charles to be demolished, and navy-yard to be discontinued.

A public square.

Be it enacted, &c., That the President of the United States shall have power, and he is hereby authorized, whenever in his opinion it shall be consistent with the public interest, to abandon the use of the navy arsenal, military hospital, and barracks in the city of New Orleans, and of Fort Charlotte, at the town of Mobile; to cause the lots of ground whereon the said arsenal, hospital, and barracks in New Orleans, and Fort Charlotte, at Mobile, now stand, to be surveyed and laid off into lots, with suitable streets and avenues, conforming as near as may be, to the original plan of the city and town aforesaid, (a) and when the surveys are completed, one plat thereof shall be returned to the Secretary of the Treasury, and another to such officer or agent as the President shall have authorized to dispose of the said lots; and the said lots of ground shall be offered at public sale at the city of New Orleans and town of Mobile respectively, on such day or days as the President shall, by his proclamation, designate for that purpose, in the same manner, and on the same conditions and terms of credit, as is provided by law for the sale of public lands of the United States, and patents shall be granted therefor, as for other public lands sold by the United States. (b)

SEC. 2. *And be it further enacted,* That the President of the United States is hereby authorized, as soon as in his opinion the public interest will permit, to cause the Fort St. Charles to be demolished, and the navy yard in said city to be discontinued; and the lot of ground on which the said fort is erected shall be appropriated to the use of a public square, and may be improved for that purpose by order of the corporation of the said city. (c)

(a) See Nos. 701, 703, 704, 708, 710, 718, 722, 724, 727, 731, 777, 803, 858.

(b) See Nos. 704, 708, 710, 722, 723, 729, 731, 732, 761, 768, 786, 813, 818, 849, 858, 890, 897, 899, 919, 920, 928, 963.

(c) See No. 734.

March 3, 1819.
Vol. 3, p. 528.

No. 781.—AN ACT for adjusting the claims to land, and establishing land offices, in the districts east of the island of New Orleans.

Claims founded on Spanish grants, favorably reported to the Secretary of the Treasury by the commissioners from the districts east and west of Pearl River, confirmed, &c.

And on British grants.

Claims under Spanish orders of survey, requette,

Be it enacted, &c., That all the claims to land, founded on complete grants from the Spanish Government, reported to the Secretary of the Treasury, by the commissioners from the districts east and west of Pearl River, appointed under the authority of an act, entitled "An act for ascertaining the titles and claims to lands in that part of Louisiana which lies east of the river Mississippi and island of New Orleans," which are contained in the several reports of the commissioners, and which are, in the opinion of the commissioners, valid, agreeably to the laws, usages, and customs, of the said government, be, and the same are hereby, recognized as valid and complete titles against any claim on the part of the United States, or right derived from the United States: And that all claims founded on British grants, contained in the said reports, which have been sold and conveyed, according to the provisions of the treaty of peace, between Great Britain and Spain, of the third of September, one thousand seven hundred and eighty-three, by which that part of Louisiana, lying east of the island of Orleans, was ceded to Spain, under the denomination of West Florida, or which were settled and cultivated by the person having the legal title therein, at the date of said treaty, are recognised as valid and complete titles, against any claim on the part of the United States, or right derived from the United States.

SEC. 2. *And be it further enacted,* That all claims reported as aforesaid, and contained in the several reports of the said commissioners, founded on any order of survey, requette, permission to settle, or any

written evidence of claim, derived from the Spanish authorities, which ought, in the opinion of the commissioners, to be confirmed, and which by the said reports appear to be derived from the Spanish Government, before the twentieth day of December, one thousand eight hundred and three, and the land claimed to have been cultivated and inhabited, on or before that day, shall be confirmed in the same manner as if the title had been completed: *Provided*, That in all such claims, where the plat and certificate of survey, made prior to the fifteenth day of April, one thousand eight hundred and thirteen, under the authority of the Spanish Government, in pursuance of such claim, has not been filed with the said commissioners, such claim shall not be confirmed to any one person for more than twelve hundred and eighty acres; and that for all the other claims to land comprised in the reports aforesaid, and which ought, in the opinion of the commissioners, to be confirmed; the claimant to such lands shall be entitled to a grant therefor as a donation: *Provided*, That such grant, as a donation, shall not be made to any one person for more than twelve hundred and eighty acres; which confirmation of the said incomplete titles and grants of donations, hereby provided to be made, shall amount only to a relinquishment forever, on the part of the United States, of any claim whatever to the tract of land so confirmed or granted: *And provided, also*, That no such claim shall be confirmed to any person to whom the title to any tract of land shall have been recognised under the preceding provisions.

&c., prior to 20th Dec., 1803, &c., reported favorably, confirmed.

Proviso.

Grants as donations, for other claims.

Proviso.

Confirmation of incomplete titles only a relinquishment forever of the title of the United States.

Proviso.

SEC. 3. *And be it further enacted*, That every person, or his or her legal representative, whose claim is comprised in the lists, or register of claims, reported by the said commissioners, and the persons embraced in the list of actual settlers, or their legal representatives, not having any written evidence of claim reported as aforesaid, shall, where it appears, by the said reports, or by the said lists, that the land claimed or settled on had been actually inhabited or cultivated, by such person or persons in whose right he claims, on or before the fifteenth day of April, one thousand eight hundred and thirteen, be entitled to a grant for the land so claimed, or settled on, as a donation: *Provided*, That not more than one tract shall be thus granted to any one person, and the same shall not contain more than six hundred and forty acres; and that no lands shall be thus granted which are claimed or recognised by the preceding sections of this act. (a)

Grants, as donations, in the case of claims in right of settlers, &c., on or before 15th April, 1813, if comprised in the lists, &c.

Proviso.

No grant for lands recognized by preceding sections.

SEC. 4. *And be it further enacted*, That every person comprised in the said list of actual settlers, not having any written evidence of claim to land in said districts, and who, on the twelfth day of April, one thousand eight hundred and fourteen, shall have inhabited or cultivated a tract of land in either of the said districts, not claimed by virtue of either of the preceding sections of this act, shall be entitled to a preference, on becoming a purchaser, from the United States, of such tract of land, on the same terms and conditions, and at the same price for which the other public lands are sold at private sale: *Provided*, That the first instalment of the purchase money shall be paid to the receiver of public moneys of the district within which the land lies, within two years after the opening of the land office for such district. (b)

Pre-emption rights to inhabitants and cultivators on the 12th April, 1814, in the case of lands not claimed by preceding sections.

Proviso.

SEC. 5. *And be it further enacted*, That for the purpose of adjusting the titles and claims to lands in the districts aforesaid, and for the disposal of the lands which may remain the property of the United States therein, a land office shall be established, in each of the said districts, to be kept, for the western district, at St. Helena Courthouse, and for the eastern district, at Jackson Courthouse; and a register and receiver of public moneys shall be appointed for each of the said land offices, who shall give security in the same manner, and in the same sums, and whose compensation, duties, and authority, shall, in every respect, be the same, in relation to the lands which shall hereafter be disposed of, at their respective offices, as are by law provided in relation to the other registers and receivers of public moneys for the several land offices of the United States. (c)

A land office at St. Helena Courthouse, and at Jackson Courthouse.

A register and receiver of public moneys for each, &c.

SEC. 6. *And be it further enacted*, That every person or persons, claiming lands in either of the said districts, whose claims have not heretofore been filed with the commissioner of the land office, of the district wherein the lands lie, shall be allowed until the first day of July, one thousand eight hundred and twenty, to deliver notices in writing, and the evidences of their claims, in the said districts, respectively, to the register of the land office at Jackson Courthouse and at St. Helena Courthouse; and the notices and evidences so delivered, within the

Claimants allowed till 1st July, 1820, to deliver notices, evidences, &c., to the registers at Jackson and St. Helena Courthouses.

Notices, &c.,

delivered in time, time limited by this act, shall be recorded in the same manner, and on to be recorded. the payment of the same fees, as if the same had been delivered before the commissioners closed their said registers.

Persons who had filed notices with the commissioner of the land office, &c., whose claims have not been recommended, &c., allowed till 1st of July, 1820, to deliver written evidence and other testimony, &c. SEC. 7. *And be it further enacted*, That every person or persons, who had filed his or their notice of claims to land, within either of the said districts, with the commissioner of the land office, according to the former laws, but have not exhibited sufficient testimony in support of the same, and whose claim has not been recommended for confirmation, shall be allowed until the first day of July, one thousand eight hundred and twenty, to deliver written evidence, or other testimony, in support of his or their claim, the notice of which had been filed as aforesaid, to the register of the land office at St. Helena, for lands lying in the district west of Pearl River, and to the register of the land office at Jackson Courthouse, for the lands lying in the district east of Pearl River; and the evidence of claims, the notice whereof had been filed, as aforesaid, for lands lying in the said district, delivered, within the time limited by this section, to the said registers, shall be recorded by them; respectively, in the same manner as was directed by former acts, on receiving the same fees allowed by said acts, for recording evidence of claims to lands in the same districts.

Evidence delivered in time, to be recorded.

The registers and receivers at Jackson and St. Helena Courthouses to have the same powers, perform the same duties, &c., as the commissioners for the districts east and west of Pearl River would have had, &c.

The register of each of the land offices to report to the Commissioner of the General Land Office.

The Commissioner to lay the report, &c., before Congress.

Registers and receivers may appoint clerks.

Fifteen hundred dollars a year to each register and receiver.

One thousand dollars per annum to clerk.

Proviso: not more than eighteen months' compensation, &c.

Surveyor of the lands south of Tennessee to appoint a principal deputy, with a salary of \$500 and fees.

Amount of fees. Duty of deputy surveyor.

SEC. 8. *And be it further enacted*, That the register and receiver of public moneys of the said respective land offices, at Jackson Courthouse and at St. Helena Courthouse, shall have the same powers, and perform the same duties, in every respect, in relation to the claims that may be filed in virtue of the sixth section of this act, and in relation to the claims, the notices of which had been filed under former acts, as well as to the additional evidence which shall be adduced in support thereof, agreeably to the seventh section of this act, as the commissioners for the districts east and west of Pearl River would have had, or should have performed, if such notices had been filed, and such evidence adduced, before the said commissioners closed their registers.

SEC. 9. *And be it further enacted*, That it shall be the duty of the register of each of the said land offices, respectively, to make, to the Commissioner of the General Land Office, a report of all the claims filed with the register aforesaid, with the substance of the evidence in support thereof; and of the claims formerly filed, in support of which additional evidence shall have been received, with the substance of such evidence; and also their opinion and such remarks respecting the claim as they may think proper to make; which report, together with a list of the claims, which, in the opinion of the register and receiver, ought to be confirmed, and also a list of actual settlers, prior to the passage of this act, noting the time of their respective settlements, shall be laid, by the Commissioner of the General Land Office, before Congress, at their next session, for their determination thereon.

SEC. 10. *And be it further enacted*, That the said registers and receivers shall, respectively, have power to appoint a clerk, who shall be a person capable of translating the French and Spanish languages, and who shall perform the duty of translator, when required by said registers and receivers; and each of the said registers and receivers shall be allowed, as a compensation for their services in relation to the said claims, at the rate of fifteen hundred dollars a year; and each of the clerks at the rate of one thousand dollars a year: *Provided*, That not more than eighteen months' compensation be thus allowed to the register, receiver and clerk, for the district east of Pearl River; nor more than eighteen months' compensation to be allowed to the register, receiver, and clerk, of the district west of Pearl River. (a)

SEC. 11. *And be it further enacted*, That the surveyor for the lands south of the State of Tennessee shall, with the consent and approbation of the President of the United States, appoint a principal deputy surveyor for the lands within the said districts, who shall receive an annual salary, of five hundred dollars, and, in addition thereto, the following fee; that is to say: for examining and recording the surveys executed by any of the deputies, at the rate of twenty-five cents for every mile of the boundary line of such survey; and for a certified copy of any plat of a survey in the office, twenty-five cents; and whose duty it shall be to survey, or cause to be surveyed, by his other deputies, the lands, the claims to which are confirmed, and that are directed to be granted as donations, where the same have not been already surveyed, and the lands which may be claimed by right of pre-emption, whenever directed by the register and receiver, and to execute such other surveys as may

be necessary for the ascertainment of the lands, the title or claim to which is embraced in the report of the commissioners aforesaid. And the said principal deputy surveyor shall make out particular plats of the surveys directed by this act, which he shall return to the register of the proper district; and also, a general and connected plat, which he shall return to the surveyor of the lands south of the State of Tennessee; and the expense of surveying shall be paid by the United States: *Provided*, The same shall not exceed, in the whole, four dollars a mile, for every mile which shall be actually surveyed and marked. (d)

Expense of surveying paid by the United States. Proviso.

SEC. 12. *And be it further enacted*, That the books of the former commissioners, in which the claims, and evidence of claims, are recorded, shall be lodged with the registers of the land office, for the respective districts; and the register and receiver of public moneys, in each respective district, shall have power to examine the claims recognised, confirmed, or provided to be granted, by the provisions of this act, as also, claims to the right of pre-emption; and they shall make out to each claimant, entitled, in their opinion, thereto, a certificate, according to the nature of the case, under such instructions as they may receive from the Commissioner of the General Land Office; and on presentation at the General Land Office, of such certificate for a confirmed claim, or for a donation, according to the provisions of this act; and where it shall appear, to the satisfaction of the Commissioner of the General Land Office, that the certificate has been fairly obtained, according to the true intent and meaning of this act, then, and in that case, a patent shall be granted, in like manner as for other lands of the United States. (a)

Books of former commissioners to be lodged with the registers, &c.

Register and receiver empowered to examine claims, &c.

A certificate to each claimant, entitled, &c.

The certificate having been fairly obtained, a patent to issue.

SEC. 13. *And be it further enacted*, That the President shall have power to appoint the register and receiver of public moneys for the said districts in the recess of the Senate, who shall be nominated to them at their next meeting.

The President may appoint the registers and receivers in the recess, &c.

(a) See Nos. 699, 701, 703, 704, 705, 708, 710, 712, 716, 718, 721, 722, 723, 724, 728, 732, 737, 738, 739, 740, 745, 746, 749, 752, 753, 777, 790, 817, 819, 826, 852, 863, 864, 873, 889, 899, 904, 911, 946, 956, 957, 961, 967.

(b) See Nos. 704, 708, 710, 720, 722, 729, 730, 732, 761, 768, 786, 813, 818, 849, 858, 860, 897, 899, 919, 920, 928, 963.

(c) See Nos. 701, 704, 708, 710, 711, 718, 737, 740, 831, 879, 965.

(d) See Nos. 701, 703, 704, 708, 710, 718, 722, 724, 727, 730, 777, 803, 858.

No. 732.—AN ACT supplementary to the several acts for the adjustment of land claims in the State of Louisiana.

May 11, 1820.
Vol. 3, p. 573.

Be it enacted, &c., That the claims for lands within the eastern district of the State of Louisiana, described by the register and receiver of the said district, in their report to the Commissioner of the General Land Office, bearing date the twentieth day of November, one thousand eight hundred and sixteen, and recommended in the said report for confirmation, be, and the same are hereby, confirmed against any claim on the part of the United States.

Claims for lands in the eastern district of Louisiana, confirmed.

SEC. 2. *And be it further enacted*, That any person or persons, claiming lands within that part of Louisiana lying west of the river Mississippi, including the island of New Orleans, founded upon any Spanish grant, concession, or order of survey, and whose claims have not heretofore been filed in the proper office, may, from and after the first day of July next, and until the thirty-first day of December thereafter, deliver notices, in writing, and the written evidences, of their claims, to the register of the land district within which such lands may be situate, within the said State, and the said notices and evidences, so delivered, within the time limited by this act, shall, by the said registers, be recorded, in books to be kept for that purpose; for which service a compensation shall be received, from such claimants at the rate of twenty-five cents for every hundred words. And the rights of such persons as shall neglect so doing, within the time limited by this act, shall, so far as they are derived from, or founded on, any act of Congress, ever after be barred, and become void, and the evidences of their claims never after admitted as evidence in any court of the United States, against any grant derived from the United States.

Persons claiming lands west of the Mississippi, founded upon Spanish grants, &c.

Notices, &c., to be recorded.

Twenty-five cents for every hundred words recorded.

Persons neglecting forfeit their rights, &c.

SEC. 3. *And be it further enacted*, That the said registers shall on the first day of January next, make, to the Secretary of the Treasury, a report of all the claims filed in their respective offices, in pursuance of the provisions of this act, together with the substance of the evidence in support thereof, with their opinion of the credit to which such evidence is entitled.

Registers to report to the Secretary of the Treasury.

Persons claiming lands under Spanish grants, &c.

Evidence to be recorded.

Rights of persons neglecting, barred, &c.

Registers, on the 1st of Jan., 1821, to report claims in which additional evidence has been filed, &c.

Secretary of the Treasury to examine, and report to Congress.

Proviso.

The 5th section of the act of 3d March, 1811, revived and continued until 11th May, 1822.

Additional compensation to the registers, in full, &c.

SEC. 4. *And be it further enacted*, That every person or persons, claiming lands within that part of Louisiana described in the preceding section, founded upon any Spanish grant, concession, or order of survey, who had filed their notices of claims in the proper office, according to former laws, and whose claims have not been confirmed, may, at any time before the thirty-first day of December next, deliver additional written evidence, or other testimony, in support of their claims, the notice of which had been filed as aforesaid, to the said registers; and the evidence, so delivered, or offered, shall be recorded in books to be kept for that purpose; for which service a compensation shall be received, from such claimants, at the rate of twenty-five cents for every hundred words. And the rights of such persons as shall neglect so doing within the time limited by this act, shall, so far as they are derived from, or founded on, any act of Congress, ever after be barred, and become void, and the evidences of their claims never after admitted as evidence in any court of the United States, against any grant derived from the United States.

SEC. 5. *And be it further enacted*, That the said registers shall, on the first day of January next, make, to the Secretary of the Treasury, a report of the claims in which additional evidences shall have been filed in their respective offices, together with the substance of the evidence so filed, with their opinion of the credit to which such evidence is entitled, and such other information as the examination of such cases, under any former law, may have placed in their power or possession.

SEC. 6. *And be it further enacted*, That it shall be the duty of the Secretary of the Treasury, as soon as the reports of the said registers shall be received, to proceed to the examination of the claims aforesaid, and to report to the two houses of Congress a list of the cases, which, in his opinion, ought to be confirmed, together with the reasons upon which his opinion may be founded: *Provided, nevertheless*, That no claim shall be so recommended for confirmation, which contains more than the quantity contained in a league square. (a)

SEC. 7. *And be it further enacted*, That the fifth section of the act of the third day of March, eighteen hundred and eleven, entitled "An act providing for the final adjustment of claims to lands, and for the sale of the public lands, in the Territories of Orleans and Louisiana, and to repeal the act passed for the same purpose, and approved February sixteenth, one thousand eight hundred and eleven," be, and the same is hereby revived and continued, for the term of two years, from and after the passing of this act. (b)

SEC. 8. *And be it further enacted*, That the said registers, in addition to the compensation herein prescribed, shall receive, in full for the services required of them, respectively, by this act, the sum of six hundred dollars, which shall be paid out of any money in the Treasury not otherwise appropriated.

(a) See Nos. 699, 701, 703, 704, 705, 708, 710, 712, 716, 718, 721, 722, 723, 724, 726, 731, 737, 738, 739, 740, 745, 746, 749, 752, 753, 777, 790, 817, 819, 826, 852, 862, 864, 873, 889, 899, 904, 911, 946, 956, 957, 961, 967.

(b) See Nos. 704, 708, 710, 720, 722, 729, 730, 731, 761, 768, 786, 813, 818, 849, 858, 860, 897, 899, 919, 920, 928, 963.

Feb. 28, 1820.
Vol. 6, p. 238.

No. 723.—AN ACT confirming Anthony Cavalier and Peter Petit in their claim to a tract of land.

Claim to a tract of land confirmed.

Proviso.

Be it enacted, &c., That Anthony Cavalier, and Peter Petit, of the State of Louisiana, shall be, and they are hereby, confirmed in their claim to a tract of land, containing two thousand and sixty-five acres, being an island in the Mississippi River, known by the name of Apple Island; for which tract of land the said Anthony Cavalier and Peter Petit shall be entitled to a patent: *Provided*, That nothing in this act shall affect the claim or claims of any person or persons to the same land, or any part thereof, derived from the United States, if any such there be, or the claim or claims of any other person or persons whatsoever.

March 30, 1822.
Vol. 3, p. 661.

No. 734.—AN ACT supplemental to an act, entitled "An act authorizing the disposal of certain lots of public ground in the city of New Orleans and town of Mobile."

Be it enacted, &c., That the corporation of the city of New Orleans be, and are hereby, authorized to appropriate so much of the lot of ground

on which Fort St. Charles formerly stood, as may be necessary for continuing Esplanade street to the Mississippi River; and, also, to sell and convey that portion of the said ground which lies below said street; the proceeds of such sale shall be applied to the purchase of the ground necessary for the opening of Victory street, and the public walk and Elysian fields, and to such other purpose as the said corporation may deem expedient. (a)

(a) See Nos. 705, 708, 710, 713, 730, 739.

No. 735.—AN ACT for the relief of the legal representatives of Marie Therese.

May 7, 1822.
Vol. 6, p. 271.

Be it enacted, &c., That the legal representatives of Marie Therese be, and they are hereby, confirmed in their title to a tract of land of three and a half arpens in front and forty back, situated on the right bank of the Bayou Rapide, in the parish of Rapide, and State of Louisiana, bounded above by the lands of Joseph Renois, and below by lands formerly owned by Bolon Layssard; which boundaries shall be more particularly designated, under the direction of the register of the land office of the district in which the said tract lies: *Provided, however,* That nothing in this act shall be so construed as to weaken the claim of any third person.

Confirmed in
their title to a
tract of land.

Proviso.

No. 736.—AN ACT for the relief of Susan Berzat, widow, and the legal representatives of Gabriel Berzat, deceased.

May 7, 1822.
Vol. 6, p. 276.

Be it enacted, &c., That the right and title to six hundred and forty acres of land shall be, and the same are hereby, confirmed to Susan Berzat, widow, and the legal representatives, of Gabriel Berzat, deceased, including the improvement made by the said decedent in his lifetime, in the parish of Avoyelles, in the State of Louisiana; the boundaries of which tract of land shall be designated by the register of the land office of the district within which it is situated.

Title to land
confirmed.

No. 737.—AN ACT supplementary to the several acts for adjusting the claims to land, and establishing land offices, in the districts east of the island of New Orleans,

May 8, 1822.
Vol. 3, p. 707.

Be it enacted, &c., That all the claims to land said to be derived from the British or Spanish authorities, reported to the Commissioner of the General Land Office by the registers and receivers of the land office at St. Helena Courthouse and at Jackson Courthouse, in the districts east and west of Pearl River, appointed under the authority of an act, entitled "An act for adjusting the claims to land, and establishing land offices, in the districts east of the island of New Orleans," which are contained in the several reports of the registers and receivers, and which are, in the opinion of the registers and receivers, valid, agreeably to the laws, usages, and customs, of the said governments, be, and the same are hereby, recognised as valid and complete titles, against any claim on the part of the United States, or right derived from the United States.

Claims to land
derived from
British or Span-
ish authorities,
reported to be
Commissioner of
the General Land
Office, &c., which,
in their opinion,
are valid, &c., re-
cognized as com-
plete titles, &c.

SEC. 2. *And be it further enacted,* That all the claims reported as aforesaid, and contained in the several reports of the said registers and receivers, founded on orders of survey, requettes, permission to settle, or other written evidences of claims, derived from the Spanish authorities, which ought, in the opinion of the registers and receivers, to be confirmed, shall be confirmed in the same manner as if the title had been completed: *Provided,* That the confirmation of all the said claims provided for by this act, shall amount only to a relinquishment forever, on the part of the United States, of any claim whatever to the tract of land so confirmed or granted.

All claims re-
ported, &c.,
founded on or-
ders of survey,
requettes, &c.,
derived from the
Spanish authori-
ties, &c., con-
firmed.

Proviso.

SEC. 3. *And be it further enacted,* That every person, or his or her legal representative, whose claim is comprised in the lists or registers of claims reported by the registers and receivers, and the persons embraced in the lists of actual settlers, or their legal representatives, not having any written evidence of claim reported as aforesaid, shall, when it appears by the said reports, or by the said lists, that the land claimed or settled on had been actually inhabited or cultivated by such person or persons in whose right he claims, on or before the fifteenth day of

Every person,
&c., whose claim
is comprised in
the lists, &c., if
actually inhabit-
ing, &c., on or
before April 15,
1813, entitled to
a grant, &c.

Proviso.

April, one thousand eight hundred and thirteen, be entitled to a grant for the land so claimed or settled on as a donation: *Provided*, That not more than one tract shall be thus granted to any one person, and the same shall not contain more than six hundred and forty acres; and that no lands shall be thus granted which are claimed or recognised by the preceding sections of this act, or by virtue of a confirmation under an act, entitled "An act for adjusting the claims to land, and establishing land offices, in the districts east of the island of New Orleans," approved on the third day of March, eighteen hundred and nineteen: *And provided, also*, That no claim shall be confirmed where the quantity was not ascertained, and report made thereon by the registers and receivers, prior to the twenty-fifth day of July, one thousand eight hundred and twenty.

Registers and receivers, except in relation to perfect titles, as recognized, &c., empowered to direct the manner in which the lands shall be located.

SEC. 4. *And be it further enacted*, That the registers and receivers of the public moneys of said respective districts, except in relation to perfect titles, as recognised in the first section of this act, and the first section of the act of the third day of March, one thousand eight hundred and nineteen, shall have power to direct the manner in which all lands claimed in virtue of the preceding sections shall be located and surveyed; and also to direct the location and manner of surveying all the claims to land recognised by the second, third, and fourth, sections of an act, entitled "An act for adjusting the claims to land, and establishing land offices, in the districts east of the island of New Orleans," approved on the third day of March, one thousand eight hundred and nineteen, having regard to the laws, usages, and customs, of the Spanish Government on that subject; and having regard also to the mode adopted by the Government of the United States in surveying the claims to land confirmed by virtue of the second and third sections of an act of Congress, entitled "An act regulating the grants of lands, and providing for the disposal of the lands, of the United States, south of the State of Tennessee, approved on the third March, one thousand eight hundred and three. And that, in relation to all such claims which may conflict, or in any manner interfere, the said registers and receivers of public moneys of the respective districts shall have power to decide between the parties, and shall, in their decision, be governed by such conditional lines or boundaries as may have been agreed on between the parties, either verbally or in writing, at any time prior to the passage of this act. But, upon the decision of those claims alluded to, which may conflict or interfere, and in relation to which the parties interested have agreed on no conditional lines or boundaries as to the manner of locating the same; the said registers and receivers of the respective districts shall make an equal division of the land claimed, so as to allow each party his or their improvements: *Provided, however*, That, should it be made appear, to the satisfaction of the register and receiver of public moneys of the respective districts, in any such case, that the subsequent settler had obtruded on the claim of the former, and had made his establishment after having been forbid so to do, the said registers and receivers of public moneys shall have power to decide between the parties, according to the circumstances of the case and the principles of justice.

The registers and receivers may decide on conflicting claims, &c.

Proviso.

Patents for lands to be granted as for lands confirmed under former acts.

SEC. 5. *And be it further enacted*, That patents shall be granted for all lands confirmed by virtue of the provisions of this act, in the same manner as patents are granted for lands confirmed under former acts, to which this is a supplement.

Persons entitled to tracts to be furnished with certificates.

SEC. 6. *And be it further enacted*, That to every person who shall appear to be entitled to a tract of land, under the second and third sections of this act, a certificate shall be granted, by the register and receiver of the district in which the land lies, setting forth the nature of the claim and the quantity allowed; for which certificate the party in whose favour it issues shall pay one dollar, to be divided between the said receiver and register. (a)

Fees.

The President authorized to remove the land office from St. Helena Courthouse, &c.

SEC. 7. *And be it further enacted*, That the President of the United States be, and he is hereby, authorized to remove the land office from St. Helena Courthouse to such other place, within the said districts, as he may deem suitable and convenient. (b)

(a) See Nos. 699, 701, 703, 704, 705, 708, 710, 712, 716, 718, 721, 722, 723, 724, 728, 731, 732, 738, 739, 740, 745, 746, 749, 752, 753, 777, 790, 817, 819, 826, 852, 863, 864, 873, 889, 899, 904, 911, 946, 956, 957, 961, 967.

(b) See Nos. 701, 704, 708, 710, 711, 718, 731, 740, 831, 879, 965.

No. 738.—AN ACT supplementary to the several acts for the adjustment of land claims in the State of Louisiana.

Feb. 28, 1823.
Vol. 3, p. 727.

Be it enacted, &c., That the claims for lands within the eastern district of the State of Louisiana, described by the register of the land office of the said district, in his report to the Secretary of the Treasury, bearing date the sixth of January, one thousand eight hundred and twenty-one, be, and the same are hereby, confirmed, against any claim on the part of the United States.

Claims for certain lands in Louisiana confirmed.

SEC. 2. *And be it further enacted,* That the claims for lands within the district north of Red River, in the State of Louisiana, described by the register of the land office of the said district, in his report to the Secretary of the Treasury, bearing date the first January, one thousand eight hundred and twenty-one, and included in the first, second, and third, classes of claims, be, and the same are hereby, confirmed against any claim on the part of the United States, with the exception of the claims numbered forty and fifty-one in the first class, and of the claims numbered forty-four, forty-five, forty-six, forty-seven, and forty-eight, in the said first class, (which are included in the claim of Baron Bastrop.) (a)

Claims of lands north of Red River confirmed.

(a) See Nos. 699, 701, 703, 704, 705, 708, 710, 712, 716, 718, 721, 722, 723, 724, 728, 731, 732, 737, 739, 740, 745, 746, 749, 752, 753, 777, 790, 817, 819, 826, 852, 863, 864, 873, 889, 899, 904, 911, 946, 956, 957, 961, 967.

No. 739.—AN ACT to revive, and continue in force, the seventh section of an act, entitled "An act supplementary to the several acts for the adjustment of land claims in the State of Louisiana," approved the eleventh May, eighteen hundred and twenty, and for other purposes.

Feb. 28, 1823.
Vol. 3, p. 729.

Be it enacted, &c., That the seventh section of an act, entitled "An act supplementary to the several acts for the adjustment of land claims in the State of Louisiana," approved the eleventh of May, one thousand eight hundred and twenty, in relation to back concessions, be, and the same is hereby, revived, and continued in full force and effect, for the term of eighteen months from and after the passing of this act. (a)

Seventh section of Louisiana land-claim law continued in force for eighteen months.

SEC. 2. *And be it further enacted,* That so much of the lot of land on which is situated the navy store-house, in New Orleans, as may be necessary to continue the street now commenced, leading from Condi street to Market-hall, is hereby granted to, and vested in, the corporation of the city of New Orleans, for the purpose of continuing the said street. (b)

Part of navy store-house lot in New Orleans, granted to the corporation of that city.

(a) See Nos. 699, 701, 703, 704, 705, 708, 710, 712, 716, 718, 721, 722, 723, 724, 728, 731, 732, 737, 738, 740, 745, 746, 749, 752, 753, 777, 790, 817, 819, 826, 852, 863, 864, 873, 889, 899, 904, 911, 946, 956, 957, 961, 967.

(b) See Nos. 705, 708, 710, 713, 734.

No. 740.—AN ACT providing for the the examination of the titles to land in that part of the State of Louisiana, situated between the Rio Hondo and the Sabine River.

March 3, 1823.
Vol. 3, p. 756.

Be it enacted, &c., That all that tract of country situated between the Rio Hondo and Sabine River, within the State of Louisiana, and, previously to the treaty of the twenty-second of February, one thousand eight hundred and nineteen, between the United States and Spain, called the Neutral Territory, be, and the same is hereby, attached to the district south of Red River (a), and the register and receiver of the land office, in said district, are required to receive and record all written evidences of claim to land in said tract of country, derived from, and issued by, the Spanish Government of Texas, prior to the twentieth day of December, one thousand eight hundred and three, according to the regulations, as to the granting of lands, the laws and ordinances of said government, and to receive and record all evidences of claim, founded on occupation, habitation and cultivation, designating particularly the time and manner in which each tract was occupied, inhabited, or cultivated, prior to, and on, the twenty-second February, eighteen hundred and nineteen, and the continuance thereof subsequent to that time, with the extent of the improvement on each tract, and to receive and record such evidence as may be produced, touching the performance of the conditions required to be performed by any holder of any grant, concession, warrant, or order of survey, or other written evidence of claim, and on which the validity of such claim may have depended under the government from which it emanated, and to receive and

Land between the Rio Hondo and Sabine River, in the State of Louisiana, attached to the district south of Red River.

Register and receiver to receive and record evidences of claims.

Register and receiver to transmit to the Secretary of the Treasury a record of all claims, and the evidence.

Classes of claims.

Proviso.

Register and receiver to hold their session at Natchitoches.

record all evidence of fraud in obtaining or issuing the written evidence of such claims, and of their abandonment or forfeiture.

SEC. 2. *And be it further enacted*, That the register and receiver, as aforesaid, shall transmit to the Secretary of the Treasury, a complete record of all the claims presented to them under this act, and the evidence appertaining to each claim, and shall also make out and transmit, to the Secretary of the Treasury, an abstract containing the whole number of claims, in four distinct classes, the first of which shall contain a specification of the nature and extent of complete titles, the time when, and by whom, issued, and to whom, with the date of any transfer, the name of the person transferring, and to whom transferred, and where the conditions of such grant or patent have been complied with; the second shall contain all claims founded on written evidence and not embraced in the first class, and where the conditions on which the perfection thereof into complete titles may have depended, according to the laws and ordinances of the Spanish Government, are shown to have been complied with: the third class shall consist of claims founded on habitation, occupation, or cultivation, previously to twenty-second of February, one thousand eight hundred and nineteen, and in the manner which would have entitled the claimants to a title under the government exercising the sovereign power over that tract of country, and which, in their opinion, ought to be confirmed; the fourth class shall consist of those claims, which, in the opinion of the register and receiver, ought not to be confirmed: *Provided*, That nothing contained in this act shall be considered as a pledge on the part of Congress to confirm any claim thus reported.

SEC. 3. *And be it further enacted*, That it shall be the duty of the register and receiver aforesaid, after suitable notice to claimants, of the time and place of their meeting, and the object thereof, be given by them, to hold their session at Natchitoches, so long as may be necessary for the performance of the duties herein prescribed, and shall be allowed the sum of five hundred dollars each, as a full compensation for the services required to be performed by this act. (b)

(a) See Nos. 701, 704, 708, 710, 711, 718, 731, 737, 831, 879, 965.

(b) See Nos. 699, 701, 703, 704, 705, 708, 710, 712, 716, 718, 731, 732, 733, 734, 736, 731, 732, 737, 738, 739, 745, 746, 749, 752, 753, 777, 790, 817, 819, 826, 852, 863, 864, 873, 889, 899, 904, 911, 946, 956, 957, 961, 967.

May 4, 1824.
Vol. 6, p. 295.

Claim confirmed to land in Louisiana.

Proviso.

No. 741.—AN ACT for the relief of Celestin Moreau, of Louisiana.

Be it enacted, &c., That Celestin Moreau, of the county of Rapide, in the State of Louisiana, be, and he is hereby, confirmed in his claim to four hundred superficial arpens of land, situate in the Bayou Rouge Prairie, in the county aforesaid, agreeably to his notice of claim, filed on the thirtieth day of July, one thousand eight hundred and twelve, with the register of the western land district of Opelousas: *Provided*, That this confirmation shall only operate as a release of the title of the United States to the said tract of land, and not affect the claim of any other person to the same.

May 19, 1824.
Vol. 6, p. 308.

Joseph Firman and others, of Louisiana, confirmed in their titles to a tract of land.

Proviso.

Sums paid by them to the United States to be refunded.

No. 742.—AN ACT for the relief of Joseph Firman and others.

Be it enacted, &c., That Joseph Firman, and others, of the parish of Avoyelles, in Louisiana, who hold under a grant made about the year seventeen hundred and eighty-two, or three, to one Beaumont, an officer under the late Spanish Government in Louisiana, be, and they are hereby, confirmed in their title or titles to a tract of land, twenty arpens in front, with the depth of forty arpens, in proportion to the quantity of land which each one holds from the said Beaumont; the said tract being the same which the said Joseph Firman, and others, or those under whom they hold, have inhabited and cultivated for more than thirty years; the boundaries of which said tract of land to be more particularly designated under the direction of the register of the land office at Opelousas, in Louisiana: *Provided*, This section shall only operate as a relinquishment on the part of the United States, and shall not affect the rights of any third person.

SEC. 2. *And be it further enacted*, That the Secretary of the Treasury be, and he is hereby, directed to cause to be refunded to the said Joseph Firman, and others, or their legal representatives, any sum or sums of money which he or they may have paid to the United States, for the purchase of said tract of land, or any part thereof.

No. 743.—AN ACT for the relief of Maturin Guichot.May 19, 1824.
Vol. 6, p. 309.

Be it enacted, &c., That Maturin Guichot, an inhabitant of the parish of Avoyelles, in the State of Louisiana, or his legal representatives, be, and he or they are hereby, confirmed in their title to a tract of land, of ten arpens in front, with the depth of forty arpens, situated in the parish of Avoyelles, in the State of Louisiana, and being the same land which the said Maturin Guichot, or those under whom he holds, have actually cultivated and inhabited for thirty years, and which said tract of land was originally granted to one Baptiste Duplechin, the boundaries of which are to be more fully and particularly designated under the direction of the register of the land office of the district in which said land lies: *Provided,* This section shall operate only as a relinquishment on the part of the United States, and shall not affect the rights of any third person.

The title of Maturin Guichot to a tract of land in Avoyelles, Louisiana, confirmed.

Proviso.

SEC. 2. *And be it further enacted,* That the Secretary of the Treasury of the United States be, and he is hereby, directed to cause to be refunded to the said Maturin Guichot, or his legal representatives, any sum of money which he may have paid to the United States for the purchase of said tract of land, or any part thereof.

Money paid by him to the United States to be refunded.

No. 744.—AN ACT to authorize the President to exchange five arpens of land on the south side of the public lot at Baton Rouge for an equal quantity of land on the north side of said lot.May 26, 1824.
Vol. 6, p. 315.

Be it enacted, &c., That the President of the United States be authorized to exchange five arpens of land, on the south side of the public lot, in the town of Baton Rouge, Louisiana, for an equal quantity of land on the north part of the said lot, which has been confirmed to the heirs of Eulogia de Casas; and to give and receive such titles as he may deem proper for perfecting said exchange.

The President authorized to exchange land on the south side of public lot in Baton Rouge, for land on the north part of said lot.

No. 745.—AN ACT supplementary to the several acts providing for ascertaining and adjusting the titles and claims to land in the St. Helena and Jackson Court-house land districts.May 26, 1824.
Vol. 4, p. 59.

Be it enacted, &c., That the claimants of lands within the limits of the land district of St. Helena, as established by the act of the twenty-fifth of April, one thousand eight hundred and twelve, entitled "An act for ascertaining the titles and claims to lands in that part of Louisiana, which lies east of the river Mississippi, and island of New Orleans," whose claims have been presented to the commissioner appointed to receive and examine claims and titles to lands in said district, or to the register and receiver, acting as commissioners, under the provisions of the act of the third of March, one thousand eight hundred and nineteen, entitled "An act for adjusting the claims to lands, and establishing land offices in the districts east of the island of New Orleans," and which have not been reported to Congress, or whose claims have not been heretofore presented to the said commissioner; or to the register and receiver, acting as commissioners, be allowed until the first day of January next, to present their titles and claims, and the evidence in support of the same, to the register and receiver of the said district, whose powers and duties, in relation to the same, shall, in all respects, be governed by the provisions of the acts before recited, and of the act of the eighth of May, one thousand eight hundred and twenty-two, entitled "An act supplementary to the several acts for adjusting the claims to land, and establishing land offices in the districts east of the island of New Orleans."

Claimants of lands within the limits of the land district of Saint Helena, to be allowed until the 1st January next, to present them.

SEC. 2. *And be it further enacted,* That the said register and receiver shall have power to appoint a clerk, who shall be a person capable of translating the French and Spanish languages, and who shall perform the duty of translator, and such other duty as may be required by said register and receiver; and the said register and receiver shall each be allowed, as a compensation for their services, in relation to the said claims, and for the services to be performed under the provisions of the several acts to which this is a supplement, at the rate of one thousand dollars a year; and the clerk at the rate of twelve hundred and fifty dollars a year; and the clerk employed by the said register and receiver, last year, shall be allowed, for the services then rendered by him, nine

The register and receiver to appoint a clerk.

Compensation of the register and receiver.

Compensation of the clerk.

Proviso.

months' salary, at the same rate; which several sums of money shall be paid out of any money in the Treasury not otherwise appropriated: *Provided*, That not more than two years' compensation be thus allowed to either the register and receiver or their clerk; and the payment of the whole, or any portion, of the aforesaid compensation, may be withheld by the Secretary of the Treasury, until a report shall have been made to him, of the performance of the services for which the same is allowed.

Claims to be surveyed at the expense of the claimants.

SEC. 3. *And be it further enacted*, That all donation claims which may be presented to the said register and receiver under this act, and all claims founded on complete or incomplete titles, which may be so presented, not heretofore surveyed, shall be surveyed at the expense of the claimants. (a)

Deputy surveyor to reside where the President may think proper.

SEC. 4. *And be it further enacted*, That the principal deputy surveyor of the United States, for the St. Helena district, shall reside at such place, in the said district, as shall be designated by the President of the United States.

(a) See Nos. 699, 701, 703, 704, 705, 706, 710, 712, 716, 718, 721, 722, 723, 724, 728, 731, 732, 737, 738, 739, 740, 746, 749, 752, 753, 777, 790, 817, 819, 826, 852, 863, 864, 873, 889, 899, 904, 911, 946, 956, 957, 961, 967.

May 26, 1824.
Vol. 4, p. 63.

No. 746.—AN ACT supplementary to "An act providing for the examination of titles to land in that part of the State of Louisiana situated between the Rio Honda [Hondo] and the Sabine River."

The powers given to, &c., the register and receiver of the land office south of Red River, Louisiana, by the act of March 3, 1823, extended.

Be it enacted, &c., That the powers given to, and duties required of, the register and receiver of the land office south of Red River, in the State of Louisiana, by the act of the third of March, eighteen hundred and twenty-three, entitled "An act providing for the examination of the titles to land in that part of the State of Louisiana, situated between [the] Rio Honda [Hondo] and the Sabine River," be extended to all that tract of country, known and called by the name of "the Neutral Territory," lying east of the present western boundary of Louisiana, and west of the limits to which the land commissioners have heretofore examined titles and claims to land in said State; and in the examination of claims to land within the aforesaid limits, the register and receiver shall, in all respects, be governed by the provisions of the aforesaid act. (a)

The register and receiver to receive each \$200.

SEC. 2. *And be it further enacted*, That the register and receiver of said land offices shall, severally, receive, as a full compensation for the duties required of them by this act, the sum of two hundred dollars, whenever they shall have finished the business required to be performed by them, by this act, and the act to which this is a supplement, and have forwarded their reports to the Secretary of the Treasury.

(a) See Nos. 699, 701, 703, 704, 705, 706, 710, 712, 716, 718, 721, 722, 723, 724, 728, 731, 732, 737, 738, 739, 740, 745, 749, 752, 753, 777, 790, 817, 819, 826, 852, 863, 864, 873, 889, 899, 904, 911, 946, 956, 957, 961, 967.

May 26, 1824.
Vol. 6, p. 318.

No. 747.—AN ACT granting a tract of land to the inhabitants of the parish of Point Coupee, on certain conditions.

A tract of land on the Mississippi River granted to the inhabitants of the parish of Point Coupee.

Be it enacted, &c., That the right of the United States to a tract of land, forty arpens front, upon the Mississippi River, and running back the depth of forty arpens, at a remarkable bend on said river, be, and the same is hereby, granted to the inhabitants of the parish of Point Coupee, within which said land is situated, on condition that said parish shall, at all times, hereafter, keep a good and sufficient levee in front of said land, upon the river Mississippi; and, if they should, at any time hereafter, cease to keep up such good and sufficient levee, the land shall revert to the United States.

May 26, 1824.
Vol. 6, p. 319.

No. 748.—AN ACT granting a tract of land to the parish of West Baton Rouge, on certain conditions.

The right of the United States to a tract of land granted to the

Be it enacted, &c., That the right of the United States to a tract of land, of about eight arpens front, on the Mississippi River, be, and the same is hereby, granted to the inhabitants of the parish of West Baton Rouge, within which said land is situated, on condition that said parish

shall, at all times, keep, or cause to be kept, a good and sufficient levee on said land, in front on the river Mississippi; and if they should at any time hereafter cease to keep, or cause to be kept, a good and sufficient levee, the land shall revert to the United States.

No. 748a.—AN ACT concerning General Lafayette.

Dec. 28, 1824.
Vol. 6, p. 320.

Be it enacted, &c., That, in consideration of the services and sacrifices of General Lafayette, in the war of the Revolution, the Secretary of the Treasury be, and he is hereby, authorized to pay to him the sum of two hundred thousand dollars, out of any money in the Treasury, not otherwise appropriated. \$200,000 to be paid General Lafayette.

SEC. 2. *And be it further enacted,* That there be granted to the said General Lafayette and his heirs, one township of land, to be laid out and located under the authority of the President, in any of the unappropriated lands of the United States. (a) One township of land to be granted him.

(a) See Nos. 32, 700, 701, 704, 708, 869.

No. 749.—AN ACT confirming certain claims to lands in the western district of Louisiana.

Feb. 5, 1825.
Vol. 4, p. 81.

Be it enacted, &c., That all the claims to land embraced in the report made by the commissioners appointed for adjusting the titles and claims to land in the western district of Louisiana, upon the thirtieth day of December, eighteen hundred and fifteen, and recommended by them for confirmation, be, and the same are hereby, confirmed: *Provided,* That no person or persons shall be entitled, by any one claim, to a greater quantity than one league square under this act. (a) Report of the commissioners for adjusting the titles, &c., to land in the western district of Louisiana, confirmed.

(a) See Nos. 699, 701, 703, 704, 705, 708, 710, 712, 716, 718, 721, 722, 723, 724, 728, 731, 732, 737, 738, 739, 740, 745, 746, 752, 753, 777, 790, 817, 819, 826, 852, 863, 864, 873, 889, 899, 904, 911, 946, 956, 957, 961, 967.

No. 750.—AN ACT for the relief of Malachi Burns.

March 3, 1825.
Vol. 6, p. 321.

Be it enacted, &c., That the Commissioner of the General Land Office, upon application, cause a patent to be issued to Malachi Burns, or his legal representatives, for three hundred and two arpens of land, situated in the parish of Feliciana, in the State of Louisiana, according to the boundaries of a plat thereof, made for Edward Metcalf, on the seventh day of January, one thousand eight hundred and seven: *Provided,* This act shall not prejudice or in any wise affect the rights of any third person. Land patent to be issued to him for 302 arpens of land.
Proviso.

No. 751.—AN ACT for the relief of the representatives of Noel Soileau, deceased.

March 3, 1825.
Vol. 6, p. 329.

Be it enacted, &c., That the heirs and legal representatives of Noel Soileau, deceased, be, and they are hereby, confirmed in their claim to six hundred and forty acres of land, lying near the Bayou Crocodile, in the Grand Prairie, in the county of Opelousas, in the State of Louisiana; it being the same on which Hilaire Bordelon resided in the year one thousand eight hundred and fourteen: *Provided,* This act shall be considered only as a relinquishment on the part of the United States, and as not operating to the prejudice of any third person. Their claim to 640 acres of land in Louisiana confirmed.
Proviso.

No. 752.—AN ACT to confirm the supplementary report of the commissioners of the western district of Louisiana.

March 31, 1826.
Vol. 4, p. 152.

Be it enacted, &c., That the claims marked B, described in the supplementary report of the commissioners of the western district of the State of Louisiana, dated the 11th of May, one thousand eight hundred and fifteen, and recommended by them for confirmation, be, and the same are hereby, confirmed in the same manner, and under the same restrictions, as the report, to which this was supplementary, was confirmed, by the act of the twenty-ninth of April, one thousand eight hundred and sixteen. (a) Certain claims described in the supplementary report of the commissioners of the western district of Louisiana, confirmed.

(a) See Nos. 699, 701, 703, 704, 705, 708, 710, 712, 716, 718, 721, 722, 723, 724, 728, 731, 732, 737, 738, 739, 740, 745, 746, 749, 753, 777, 790, 817, 819, 826, 852, 863, 864, 873, 889, 899, 904, 911, 946, 956, 957, 961, 967.

May 4, 1826. . No. 753.—AN ACT supplementary to the several acts for ascertaining titles and
Vol. 4, p. 159. claims to lands in the St. Helena and Jackson Courthouse land districts.

Claims to land in land district of St. Helena Court house, of Jan. 19, 1825, &c., confirmed. *Be it enacted, &c.,* That all the claims to land contained in abstracts A, B, and E, of the report of the register and receiver of the land district of St. Helena Courthouse, reported to the Secretary of the Treasury, under date of the nineteenth January, one thousand eight hundred and twenty-five, in obedience to an act of Congress of the twenty-sixth of May, one thousand eight hundred and twenty-four, and the claims embraced in the supplemental report of the register and receiver, under date of the fifth of December, one thousand eight hundred and twenty-five, and which are recommended for confirmation, be, and the same are hereby, confirmed, so far as they may come within the provisions of, and be conformable to, the principles, limitations, and restrictions of the act of the third of March, one thousand eight hundred and nineteen, entitled "An act for adjusting the claims to land, and establishing land offices in the districts east of the island of New Orleans."

Register and receiver of said district to possess the same powers as are given them by the act of Congress, of May 8, 1822. SEC. 2. *And be it further enacted,* That the register and receiver of said district shall possess the same powers and perform the same duties in relation to the claims confirmed by this act, as are given to and required of them by the act of Congress, of the eighth of May, one thousand eight hundred and twenty-two, entitled "An act supplementary to the several acts for adjusting the claims and titles to lands, and establishing land offices in the district east of the island of New Orleans:" *Provided,* That nothing contained in this act shall be so construed as to extend further than a relinquishment of all right and title to said lands, on the part of the United States, without prejudice to the interests of third persons. (a)

Register, receiver, &c., to receive the same salary as is now allowed by law. SEC. 3. *And be it further enacted,* That the register and receiver, and clerk of said land office, at St. Helena, shall continue to have and receive, for the term of twelve months from the passing of this act, the same salary for the performance of the duties required of them by this act, and the acts to which this is a supplement, as is now allowed by law, which shall be paid out of any money in the Treasury, not otherwise appropriated.

(a) See Nos. 699, 701, 703, 704, 705, 708, 710, 712, 716, 718, 731, 732, 733, 734, 738, 731, 732, 737, 738, 739, 740, 745, 746, 749, 752, 777, 790, 817, 819, 826, 852, 863, 864, 873, 889, 904, 911, 946, 956, 957, 961, 967.

May 15, 1826.
Vol. 6, p. 340.

No. 754.—AN ACT for the relief of Moses Kenney.

Authorized to change the location of a survey. *Be it enacted, &c.,* That Moses Kenney, or his legal representative, shall be, and hereby is, authorized to change the location of survey, number three hundred and ninety-nine, founded upon a Spanish concession in Upper Louisiana, for three hundred and fifty arpens of land, equal to two hundred and ninety-seven acres, and seventy-four hundredths, so as to make the survey conformable to the true location; and if the land, or any part thereof, which would be included in such true location, shall have been sold, or otherwise disposed of, then the said Moses Kenney may locate the said quantity of two hundred and ninety-seven acres, and seventy-four hundredths, in parcels, conformable [to] sectional divisions and subdivisions, upon any lands belonging to the United States, and liable to be sold at private sale; and if, after locating part of said quantity, there should remain a fractional excess, not equal to the smallest subdivision of a section, then the party interested may enter for such part, and pay for the remainder with ready money.

May 16, 1826.
Vol. 4, p. 168.

No. 755.—AN ACT to confirm certain claims to lands in the district of Opelousa, in Louisiana.

Claims to lands recommended for confirmation in the report of the register of the land office at Opelousa, in Louisiana, of Oct. 1, 1825, confirmed. *Be it enacted, &c.,* That the several claims to lands, recommended for confirmation in the report of the register of the land office at Opelousa, in the State of Louisiana, dated on the first day of October, one thousand eight hundred and twenty-five, and which are designated in that report by letter A, and numbered one, two, three, four, eight, nine, ten, eleven, twelve, thirteen, fourteen, fifteen, seventeen, eighteen, nineteen, twenty, twenty-one, twenty-two, twenty-three, twenty-five, twenty-six, thirty-one, thirty-two, thirty-three, thirty-four, thirty-eight, thirty-nine, forty, forty-two, forty-three, forty-four, forty-five, forty-six, forty-

seven, forty-eight, fifty-two, fifty-three, fifty-four, fifty-five, fifty-six, fifty-nine, sixty, sixty-one, sixty-two, sixty-three, sixty-five, sixty-six, sixty-nine, seventy, seventy-five, seventy-six, seventy-seven, seventy-eight, seventy-nine, eighty, eighty-two, eighty-three, eighty-seven, and ninety, be, and the same are hereby, confirmed agreeably to the said report: *Provided*, That this confirmation shall operate only as a relinquishment of the claim of the United States to the lands hereby confirmed.

Confirmation to operate only as a relinquishment of the claims of the United States.

No. 756.—AN ACT for the relief of John Matthews.

May 20, 1826.
Vol. 6, p. 346.

Be it enacted, &c., That John Matthews be, and he is hereby, authorized to locate, within twelve months after the passing of this act, under the direction of the register and receiver for the western district of Louisiana, on the Bayou Boenf, in the county of Opelousas, a tract of land equal to the quantity which the said Matthews lost, by a decree of court, in consequence of an erroneous location made and approved by the authority of the proper officer: *Provided*, The quantity so located shall not exceed five hundred and forty-two arpens.

Authorized to enter a certain tract of land in Louisiana.

Proviso.

No. 757.—AN ACT for the relief of John H. Mills.

May 20, 1826.
Vol. 6, p. 350.

Be it enacted, &c., That John H. Mills be, and he is hereby, confirmed in his title to a tract of land of one hundred and ninety-five arpens, situated on Thompson's creek, in the parish of West Feliciana, Louisiana, between lands owned by Moses Samples below, and Levi Lush above; and shall be entitled to patent therefor, upon exhibiting a survey of the same to the Commissioner of the General Land Office: *Provided, however*, That this act be construed to operate merely as a relinquishment of title on the part of the United States, and not to prejudice the rights of any third person.

Confirmed in his title to land in Louisiana.

Proviso.

No. 758.—AN ACT for the relief of Garrigues Flaujac, of Louisiana.

May 20, 1826.
Vol. 6, p. 351.

Be it enacted, &c., That Garrigues Flaujac, of the county of Opelousas, in the State of Louisiana, or his legal representatives, are hereby authorized and empowered to locate a certain tract of land, derived from an order of survey in favor of Louis Berten D'Antilly, for three thousand two hundred superficial arpens of land, being forty arpens in front, by forty arpens in depth, on both sides of the Bayou Gross Tate, in Louisiana, and which said tract of land was confirmed by an act of Congress, dated the twenty-eighth day of February, one thousand eight hundred and twenty-three, in conformity with the report of the register and receiver of the eastern land district of Louisiana; the said tract of land, thus confirmed, having been surveyed and sold by the United States; which location shall be made upon any of the unappropriated public lands in the southwestern district of Louisiana, south of Red River: *Provided*, That the said location shall, as far as possible, be made in one body, and conform, as near as practicable, to the lines of the public surveys: *And provided also*, That the said Garrigues Flaujac, or his legal representatives, before such location, shall release to the United States, in such manner as the Commissioner of the General Land Office shall direct, all his right, title, claim, and interest, in the land heretofore confirmed to him, on the said Bayou Gross Tate; and the said release and location shall be made in one year from and after the passage of this act. (a)

Authorized to locate a certain tract of land in Louisiana.

Proviso.

Proviso.

(a) See Nos. 805, 855.

No. 759.—AN ACT for the relief of the heirs and legal representatives of Louis de la Houssaye, deceased.

March 2, 1827.
Vol. 6, p. 360.

Be it enacted, &c., That the heirs and legal representatives of Louis de la Houssaye, deceased, be, and they are hereby, confirmed in their title to a certain tract of land lying in the State of Louisiana, one league in length, and fronting upon each side of the Bayou Cailloux, and of the ordinary depth; and that the Commissioner of the General Land Office, upon the presentation of a plat and certificate of survey of said tract

Confirmed in their title to a tract of land in Louisiana.

of land, executed by a proper officer, issue a patent for the same, which patent shall operate as a relinquishment only on the part of the United States. (a)

(a) See No. 877.

March 3, 1827. **No. 760.**—AN ACT concerning the location of land reserved for the use of a seminary of learning, in the State of Louisiana.

Secretary of the Treasury to locate a certain quantity of land, for a seminary of learning.

When the location is made, the title is to be invested in said State.

Be it enacted, &c., That the Secretary of the Treasury be, and he is hereby, authorized to locate a quantity of land, not exceeding two entire townships, reserved by the eleventh section of the act of the twenty-first April, eighteen hundred and six, and by the seventh section of the act of the third of March, eighteen hundred and eleven, for the use of a seminary of learning in the State of Louisiana, on any of the public lands in said State, in sections corresponding with any of the legal divisions into which the public lands are authorized to be surveyed.

SEC. 2. *And be it further enacted,* That, so soon as the location of said lands shall be made as aforesaid, the title thereto shall be, and is hereby, vested in the State of Louisiana, for the use of a seminary or seminaries of learning therein, as the legislature of said State may direct. (a)

(a) See Nos. 704, 708, 710.

March 19, 1828. **No. 761.**—AN ACT granting the right of preference in the purchase of public lands, to certain settlers in the St. Helena land district, in the State of Louisiana.

Every person, &c., comprised in the list of actual settlers, reported to the Commissioner of the General Land Office, under act of March 3d, 1819, shall be entitled to the right of preference, on becoming the purchaser from the United States, of such tract of land.

Proviso.

Be it enacted, &c., That every person, his or her legal representatives, comprised in the list of actual settlers reported to the Commissioner of the General Land Office, by the register for the district of St. Helena, in the State of Louisiana, under the authority of the act of Congress, entitled "An act for adjusting the claims to land, and establishing land offices, in the district east of the island of New Orleans," approved the third day of March, one thousand eight hundred and nineteen, or who did actually inhabit and cultivate a tract of land in said district on the third day of March, one thousand eight hundred and nineteen, not rightfully claimed by any other person, by virtue of any written evidence of claim, legally derived from either the French, British, or Spanish Government, or granted as a donation by virtue of any act of Congress heretofore passed, shall be entitled to a right of preference, on becoming the purchaser, from the United States, of such tract of land, at the same price for which other public lands are sold at private sale: *Provided,* That such tract of land shall not contain more than one quarter-section, to be located by sectional lines; and that the same shall be entered with the register of the land office in said district, within two years, or before, if the same shall be offered at public sale. (a)

(a) See Nos. 704, 708, 710, 712, 720, 722, 729, 730, 731, 732, 768, 786, 813, 818, 849, 858, 860, 897, 899, 919, 920, 928, 963.

May 19, 1828. **No. 762.**—AN ACT to authorize the President of the United States to run and mark a line, dividing the Territory of Arkansas from the State of Louisiana.

President of United States to cause to be run, &c., the line dividing the Territory of Arkansas from the State of Louisiana.

Commissioner to be appointed.

Proviso.

Be it enacted, &c., That the President of the United States of America be, and he is hereby, authorized, in conjunction with the constituted authorities of the State of Louisiana, to cause to be run, and distinctly marked, the line dividing the Territory of Arkansas from the State of Louisiana; commencing on the right bank of the Mississippi River, at latitude thirty-three degrees north, and running due west on that parallel of latitude, to where a line running due north from latitude thirty-two degrees north, on the Sabine River, will intersect the same.

And, for that purpose, he is hereby authorized, to appoint a commissioner, or surveyor, or both, as in his opinion may be necessary: *Provided,* The compensation to be allowed to the person or persons so to be appointed by the President of the United States, shall not exceed in amount the compensation allowed by the government of Louisiana to the person or persons appointed, on its part, for the same object.

SEC. 2. *And be it further enacted,* That the person or persons so to be appointed by the President of the United States, with such as have been or shall be appointed for the same purpose, on the part of the State

Person appointed to make two fair certified

of Louisiana, after they, in conjunction, shall have run, and distinctly marked said line, shall make two fair drafts, or maps thereof, both of which shall be certified by them, and one of which shall be deposited in the office of the Secretary of State for the United States, and the other delivered to the governor of Louisiana.

SEC. 3. *And be it further enacted*, That, for the purpose of carrying this act into execution, the sum of one thousand dollars be, and the same is hereby, appropriated, to be paid out of any money in the Treasury, not otherwise appropriated. (a)

(a) See Nos. 698, 699, 702, 707, 709, 714, 715.

No. 763.—AN ACT to confirm claims to lands in the district between the Rio Hondo and Sabine rivers, founded on habitation and cultivation.

May 24, 1828.
Vol. 6, p. 332.

Be it enacted, &c., That the claims to lands founded on habitation and cultivation, reported for confirmation by the register and receiver of the southwestern district of Louisiana, in their report, dated November first, eighteen hundred and twenty-four, in conformity to the provisions of the acts of Congress, of the third of March, eighteen hundred and twenty-three, and twenty-sixth of May, eighteen hundred and twenty-four, contained in the third class of the report of said register and receiver, be, and the same are hereby, confirmed, except claim number forty-two, near Cantonment Jesup, and the claims of Leonard Dyson, numbers fourteen and eighteen; Samuel Norris, numbers ten and thirteen; Baptiste Poirot, brother and sisters, number nineteen; Baptiste Poirot, senior, number twenty; Henry Stockman, number thirty-one; Peter Stockman, number —; Moses Robison, number twenty-one; James Pharis, number twenty-four; Cesaré Wallace, number thirty-four and fifty-six; John Montgomery, junior, number sixty-nine; and Emanuel Trickel, number two hundred and thirty-one; which claims are suspended until it is ascertained whether they are situated within the limits of the lands claimed by the Caddoe Indians.

SEC. 2. *And be it further enacted*, That the confirmations made by this act shall not be construed to extend farther than to a relinquishment of title on the part of the United States, and the claims hereby confirmed shall be located under the direction of the register and receiver of the proper land office, in conformity with the legal subdivisions of the public surveys, so far as practicable, and shall include the improvements of the claimants respectively.

No. 764.—AN ACT for the benefit of Elijah L. Clarke, of Louisiana, and of the heirs and legal representatives of Lewis Clarke, deceased.

Feb. 27, 1830.
Vol. 6, p. 406.

Be it enacted, &c., That Elijah L. Clarke, of the State of Louisiana, be, and he is hereby, confirmed in his claim, to a tract of land containing seven hundred and thirty-three acres, to the extent of one mile square thereof, situated on the Lake St. Joseph, in the county of Concordia, and State of Louisiana, adjoining the claim of one Durosset, on the south, being claim number sixty-eight, as entered for confirmation with the register of the Land Office, north of Red River, in said State, by the said Elijah L. Clarke.

SEC. 2. *And be it further enacted*, That the heirs and legal representatives of Lewis Clarke, deceased, be, and they are hereby, confirmed in their title to a tract of land containing six hundred and forty acres, situated on the Lake St. Joseph, in the county of Concordia, and State of Louisiana, adjoining the claim of Durosset, on the north, being claim number sixty-nine, as entered for confirmation with the register of the land office, north of Red River, in said State, by said Lewis Clarke.

SEC. 3. *And be it further enacted*, That the Commissioner of the General Land Office shall, upon being presented with plats and certificates of survey of the said tracts of land, legally executed by a proper officer, issue patents for the same, which patents shall operate only as a relinquishment on the part of the United States: *Provided nevertheless*, That if, prior to the passage of this act, the land above specified shall have been sold by the United States to any other person or persons, the same shall not be confirmed to the said Elijah L. Clarke, and the heirs and legal representatives of Lewis Clarke, but they shall, respectively, be at liberty to enter any other land, now subject to entry, within the

Patents to issue for same.

Proviso.

Claims to lands reported for confirmation by the register, &c., of the southwestern district of Louisiana, in report of Nov. 1, 1824, confirmed, except claim No. 42, &c.

Confirmations by this act not to be construed to extend further than to a relinquishment of title on the part of the United States.

E. L. Clarke's claim for a certain tract of land confirmed.

Heirs of Lewis Clarke confirmed in their title to a certain tract of land.

Proviso.

same district, equal in quantity to that above mentioned; and a patent shall issue therefor, under the restrictions above recited: *And provided also*, That, should a part only of the said land have been sold, the said Elijah L. Clarke, and the heirs and legal representatives of Lewis Clarke, shall have liberty to take such parts of the said land as shall not have been sold, in part satisfaction of their claims respectively, and to enter elsewhere, within the said district, so much other land, as shall be equal to the part sold; or the said Elijah, and the said heirs and legal representatives, may, respectively, relinquish to the United States all claim to the said land so remaining unsold, and enter elsewhere, within the said district, the quantity of land (now subject to entry) equal to their whole claims respectively.

March 23, 1830. **No. 765.**—AN ACT for the relief of Antoine Prudhomme, Louis Closeau, and Gilbert Closeau, of Louisiana.

Claim for a tract of land confirmed.

Proviso.

Be it enacted, &c., That the claim of Antoine Prudhomme, for six hundred and forty acres of land, situated on the right bank of the Rigolet de Bon Dieu, in the parish of Natchitoches, and opposite to the place called Petite Ecore; as, also, the claim of Louis Closeau, to six hundred and forty arpents of lands, situated on the right bank of Red River; and the claim of Gilbert Closeau, to four hundred arpents of land, situated on the same side of said river, and bounded above by the claim of Louis Closeau, be, and the same are hereby, confirmed; and the Commissioner of the General Land Office is hereby required, upon the presentation of plats and surveys of the said several tracts of land, regularly made, by competent authority, to issue patents to the said respective claimants, for the lands hereby confirmed to each: *Provided*, That this act shall amount only to a relinquishment on the part of the United States; and shall in no manner affect the rights of third persons.

March 23, 1830. **No. 766.**—AN ACT for the relief of the heirs of John Pierre Landerneau, deceased.

Land patent to be issued to them.

Proviso.

Be it enacted, &c., That the Commissioner of the General Land Office, upon application, cause a patent to be issued to the heirs of John Pierre Landerneau, deceased, for four hundred arpents of land, situated in the parish of Ouachita, in the State of Louisiana, according to the boundaries of a plat thereof, made for the said John Pierre Landerneau, on the twenty-third day of October, eighteen hundred and two, by James McLaughlin, formerly a Spanish surveyor, in the said parish of Ouachita: *Provided*, That this act shall not prejudice, or in any way affect, the rights of any third person.

March 23, 1830. Vol. 6, p. 408.

No. 767.—AN ACT for the relief of Hyacinth Bernard.

Claim to land confirmed.

Proviso.

Be it enacted, &c., That Hyacinth Bernard be, and he is hereby, confirmed in his claim to thirty-three arpents of land, by forty arpents in depth, on both sides of the Bayou Teche, in the State of Louisiana, to be surveyed and taken according to the plot of survey made by James L. Johnson, on the twenty-first of November, one thousand eight hundred and twenty-three, and as recommended for confirmation by the Commissioner of the Land Office, to whom it was presented: *Provided*, That this act shall only be construed to a relinquishment on the part of the United States, and shall not interfere with the rights of third persons.

May 5, 1830. Vol. 4, p. 398.

No. 768.—AN ACT to authorize the registers of the several land offices in Louisiana, to receive entries of lands in certain cases, and give to the purchasers thereof certificates for the same.

Certain purchasers of land in Louisiana authorized to enter them.

Be it enacted, &c., That in all cases where persons have purchased lands of the United States within the State of Louisiana, and have paid in full therefor, and who have failed or omitted to enter the same, the register of the land office of the district in which the land was pur-

chased shall, on presentation of the original receipt of the receiver of said district by the original purchaser or purchasers of the land, his, her, or their heirs, cause an entry thereof to be made, and give to him, her, or them a certificate for the same, specifying the time when the land was purchased, upon which a patent shall be issued as in other cases: *Provided, however,* That if, in the intermediate time between the purchase and presentation of the said receipt, any of the said lands shall have been paid for and entered by any other person or persons, ignorant of the former purchase, the said register shall not enter the same lands, but may permit the party to enter other lands in lieu thereof, of equal quantity, within the same district, which may be subject to entry, and shall give him, her, or them a certificate therefor, upon which a patent shall issue as in other cases. (a)

(a) See Nos. 704, 708, 710, 720, 722, 729, 730, 731, 732, 761, 786, 813, 818, 849, 858, 860, 897, 899, 919, 920, 928, 963.

No. 769.—AN ACT for the relief of the heirs of Baptiste Le Gendre.

Be it enacted, &c., That the heirs of Baptiste Le Gendre be, and they are hereby, confirmed in their claim to six arpents of land in front, by forty in depth, situated on the river Mississippi, in the parish of West Baton Rouge, and bounded above by lands of Jean Baptiste Tuillier, and below by land of Ivon Le Gendre; and the Commissioner of the General Land Office, upon being presented with a plat and survey of the said land, regularly made by competent authority, shall issue to the petitioners a patent therefor: *Provided,* That this act shall amount only to a relinquishment on the part of the United States, and shall, in no manner, affect the rights of third persons, or claims derived from the United States by donation or purchase.

May 28, 1830.
Vol. 6, p. 429.

Land claim confirmed.

Proviso.

No. 770.—AN ACT for the relief François Isidore Tuillier.

Be it enacted, &c., That François Isidore Tuillier be, and he is hereby, confirmed in his claim to a tract of land of six arpents in front, by forty in depth, situated on the river Mississippi, in the parish of West Baton Rouge, and State of Louisiana, bounded above by lands of Joseph Grand, and below by lands of J. Charles Tuillier, and containing two hundred and forty superficial arpents, equal to two hundred and two acres and forty-two one-hundredths; and that the Commissioner of the General Land Office, upon the presentation of a plat and survey of the same, regularly made by competent authority, shall issue a patent therefor, to the said François Isidore Tuillier: *Provided,* That this act shall amount only to a relinquishment on the part of the United States, and shall not affect, in any manner, the rights of third persons, or claims derived from the United States by donation or purchase.

May 28, 1830.
Vol. 6, p. 429.

Land claim confirmed.

Proviso.

No. 771.—AN ACT for the relief of the heirs of Jean Marie Trahaud, deceased.

Be it enacted, &c., That the heirs of Jean Marie Trahaud, deceased, be, and they are hereby, confirmed in their claim to six arpents front by forty in depth, on the river Mississippi, in the parish of West Baton Rouge, bounded above by Joseph Tuillier, and below by lands of Baptiste Guedry. The same to be located agreeably to a plat of survey made by Ephraim Davidson, by order of the surveyor of the lands of the United States, on the ninth day of March, one thousand eight hundred and six; and the Commissioner of the General Land Office, upon a return of a survey of the same as aforesaid, duly executed by competent authority, shall issue a patent therefor: *Provided,* That this act shall only amount to a relinquishment of the right of the United States, and shall, in no manner, affect the rights of third persons, or claims derived from the United States by purchase or donation.

May 28, 1830.
Vol. 6, p. 431.

Land claim confirmed.

Proviso.

May 28, 1830.
Vol. 6, p. 432.

No. 772.—AN ACT for the relief of Alexander Fridge.

Land claim confirmed.

Proviso.

Be it enacted, &c., That Alexander Fridge be, and he is hereby, confirmed in his claim to six hundred and forty acres of land, on which he now resides, in the parish of East Baton Rouge, in the State of Louisiana, as a donation; and the Commissioner of the General Land Office, upon the presentation of a plat and survey of said land, regularly made by competent authority, shall issue a patent therefor: *Provided*, That this act shall amount only to a relinquishment on the part of the United States, and shall, in no manner, affect the rights of third persons, or any claim derived from the United States, either by donation or purchase.

May 28, 1830.
Vol. 6, p. 432.

No. 773.—AN ACT for the relief of the heirs of John Tuillier, deceased.

Land claim confirmed.

Proviso.

Be it enacted, &c., That the heirs of John Tuillier, deceased, be, and they are hereby confirmed in their claim to a tract of land situated on the west bank of the river Mississippi, in the parish of West Baton Rouge, containing six arpents in front by forty in depth, and bounded above by lands of François I. Tuillier, and below by lands of Joseph Trahan; said tract of land to be located according to a plat of survey made by Ephraim Davidson, on the sixth day of March, one thousand eight hundred and six; and the Commissioner of the General Land Office is hereby required, upon the presentation and return of a survey of said land, so made by competent authority, to issue a patent therefor: *Provided*, That this act shall amount only to a relinquishment on the part of the United States, and shall, in no manner, affect the rights of third persons, or claims derived from the United States by purchase or donation.

May 28, 1830.
Vol. 4, p. 413.

No. 774.—AN ACT to authorize the register and receiver of the St. Helena land district, in Louisiana, to receive evidence, and report upon certain claims to land mentioned therein.

Certain claims to be examined.

Duty of register and receiver.

Be it enacted, &c., That the register and receiver of the St. Helena land district, in the State of Louisiana, are hereby authorized and required to receive evidence in support of the claim of John McDonogh to a tract of land on the Mississippi River, bounded above by the land of John de Bellevire, and below by lands of Madame A. Duplantier, and said to contain about fourteen arpens in front: also, one other tract of land, situated on the river Amite, alleged to have been originally granted to Domingo Assaretto by Governor Miro, on the eighteenth February, one thousand seven hundred and eighty-eight, containing thirty arpens in front, by forty in depth, under whom the said McDonogh claims title. (a)

SEC. 2. *And be it further enacted*, That the said register and receiver shall have the same powers, and perform the same duties, in relation to the said two claims as was authorized and required of them by the act of the third of March, one thousand eight hundred and nineteen; and shall report to the Commissioner of the General Land Office an abstract of the evidence furnished in each case, together with their opinion thereon, that the same may be laid before Congress at the commencement of their next session.

(a) See Nos. 779, 948.

May 29, 1830.
Vol. 6, p. 439.

No. 775.—AN ACT for the relief of Jeremiah Walker, of the State of Louisiana.

Land title confirmed.

Proviso.

Be it enacted, &c., That Jeremiah Walker be, and he is hereby, confirmed in his title to a certain tract of land, situate in the parish of East Feliciana, and State of Louisiana, lying on the Lost Fork of Thompson's Creek; it being the place first settled by Thomas Smith, and transferred by him to Sullivan, by Sullivan to White, and by White to the said Walker; containing not more than six hundred and forty acres: *Provided*, That this confirmation shall only operate as a relinquishment on the part of the United States only.

No. 776.—AN ACT to authorize the executor of Stephen Tippet to locate a tract of land in the State of Louisiana.

March 2, 1831.
Vol. 6, p. 459.

Be it enacted, &c., That the legal representatives of Stephen Tippet be, and they are hereby, authorized to locate and enter a tract of land of fifteen arpens front, by the ordinary depth of forty arpens, within the counties of Attakapas and Opelousas, in the State of Louisiana, under a grant of Baron de Carondelet of the twenty-first of September, one thousand seven hundred and ninety-six, *Provided, however,* That the location authorized to be made under this act shall not be made so as to interfere with the claims of others.

May enter a tract of land.

Proviso.

No. 777.—AN ACT to create the office of surveyor of the public lands for the State of Louisiana.

March 3, 1831.
Vol. 4, p. 492.

Be it enacted, &c., That a surveyor-general for the State of Louisiana shall be appointed, who shall have the same authority, and perform the same duties, respecting the public lands and private land claims in the State of Louisiana, as are now vested in, and required of the surveyor of the lands of the United States, south of the State of Tennessee, or the principal deputy surveyors in the said State; and that from and after the first day of May next, the office of principal deputy surveyors, as created by the ninth section of the act of Congress of the twenty-first day of April, eighteen hundred and six, entitled "An act supplementary to an act, entitled 'An act for ascertaining and adjusting the titles and claims to lands within the Territory of Orleans and District of Louisiana,'" be, and the same are hereby, abolished; and it shall be the duty of said principal deputy surveyors to surrender to the surveyor-general of Louisiana, or to such person or persons as he may appoint to receive the same, all the maps, books, records, field-notes, documents and articles of every description, appertaining or in anywise belonging to their offices respectively.

Surveyor-general created.

SEC. 2. *And be it further enacted,* That the principal deputy surveyor for the district east of the island of New Orleans be, and he hereby is, required to separate and arrange the papers in his office; and all the maps, records, papers and documents of every description which refer to lands in the State of Louisiana, shall be delivered to the order of the surveyor-general for that State; and such of them as refer to lands in the State of Alabama shall be delivered to the surveyor for the State of Alabama; and such of them as refer to lands in the State of Mississippi, together with such maps, papers, records and documents in the office of said principal deputy surveyor, as are not hereby required to be delivered to the surveyor-general of the State of Louisiana, or to the surveyor for the State of Alabama, shall be delivered to the order of the surveyor of the lands of the United States south of the State of Tennessee; and the office of said principal deputy shall be, and the same is hereby, abolished from and after the first day of May next; and the powers and duties now exercised and performed by the said principal deputy surveyor shall be vested in and performed by the aforesaid surveyors, within their respective States.

Disposition of certain documents.

SEC. 3. *And be it further enacted,* That it shall be the duty of the surveyor south of the State of Tennessee to deliver to the surveyor-general of the State of Louisiana all the maps, papers, records and documents relating to the public lands, and private claims in Louisiana, which may be in his office; and in every case where it shall be impracticable to make a separation of such maps, papers, records and documents, without injury to the portion of them relating to lands in Mississippi, it shall be his duty to cause copies thereof certified by him, to be furnished to the surveyor-general of Louisiana, and which copies shall be of the same validity as the originals.

Other documents.

SEC. 4. *And be it further enacted,* That the surveyor-general of Louisiana shall appoint a sufficient number of skilful and experienced surveyors as his deputies, who, with one or more good and sufficient sureties to be approved by said surveyor-general, shall enter into bond for the faithful performance of all surveying contracts confided to them in the penalty of double the amount of money accruing under the said contracts at the rate per mile stipulated to be paid therein, and who, before entering on the performance of their duties, shall take an oath, or make affirmation, truly, faithfully, and impartially, to the utmost of their skill and ability, to execute the trust confided to them; and in

Deputy surveyors to be appointed.

the event of the failure of a deputy to comply with the terms of his contract, unless such failure shall be satisfactorily shown by him to have arisen from causes beyond his control, he shall forfeit the penalty of his bond on due process of law, and ever afterwards be debarred from receiving a contract for surveying public lands in Louisiana or elsewhere.

Location of
office of survey-
or-general.

Salary, &c.

SEC. 5. *And be it further enacted*, That the surveyor-general to be appointed in pursuance of this act shall establish his office at such place as the President of the United States may deem most expedient for the public service; and that he shall be allowed an annual salary of two thousand dollars, and that he be authorized to employ one skilful draughtsman and recording clerk whose aggregate compensation shall not exceed one thousand five hundred dollars per annum; and that the fees heretofore authorized by law for examining and recording surveys be, and the same are hereby, abolished; and any copy of a plat of survey, or transcript from the records of the office of the said surveyor-general, shall be admitted as evidence in any of the courts of the United States or Territories thereof; and for every copy of a plat of survey, there shall be paid twenty-five cents, and for any transcript from the records of said office, there shall be paid at the rate of twenty-five cents for every hundred words by the individuals requiring the same. (a)

Settlement of
conflicting
claims.

SEC. 6. *And be it further enacted*, That in relation to all such confirmed claims as may conflict, or in any manner interfere with each other, the register of the land office and receiver of public moneys for the proper land district, are hereby authorized to decide between the parties, and shall in their decision be governed by such conditional lines or boundaries as have been or may be agreed upon between the parties interested, either verbally or in writing; and in case no lines or boundaries be agreed upon between the parties interested, then the said register and receiver are hereby authorized to decide between the parties in such manner as may be consistent with the principles of justice; and it shall be the duty of the surveyor-general of the said State to have those claims surveyed and platted in accordance with the decisions of the register and receiver: *Provided*, That the said decisions and surveys, and the patents which may be issued in conformity thereto, shall not in any wise be considered as precluding a legal investigation and decision by the proper judicial tribunal between the parties to any such interfering claims, but shall only operate as a relinquishment on the part of the United States of all title to the land in question. (b)

Proviso.

(a) See Nos. 701, 703, 704, 708, 710, 718, 722, 724, 727, 730, 731, 803, 858.

(b) See Nos. 699, 701, 703, 704, 705, 708, 710, 712, 716, 718, 721, 722, 723, 724, 728, 731, 732, 737, 738, 739, 740, 745, 746, 749, 752, 753, 790, 817, 819, 826, 852, 863, 864, 873, 889, 899, 904, 911, 946, 956, 957, 961, 967.

March 15, 1832.
Vol. 6, p. 480.

No. 778.—AN ACT for the relief of Bernard Marigny, of the State of Louisiana.

Land claim of
4,020 arpents con-
firmed.

Be it enacted, &c., That Bernard Marigny, as assignee of Antonio Bonnabel, be, and is hereby, confirmed in his claim to a tract of land of four thousand and twenty superficial arpents, situate in the State of Louisiana, and parish of St. Tammany, bounded on the southwest by Lake Pontchartrain, and on the northwest by lands formerly owned by the heirs of Lewis Davis; the tract confirmed by this section being the same which was surveyed for Antonio Bonnabel, by Carlos Trudeau, on the fifteenth January, one thousand seven hundred and ninety-nine, and granted to said Bonnabel on the twenty-fifth January, one thousand seven hundred and ninety-nine, by Manuel Gayoso de Lemos, governor-general of the provinces of Louisiana and West Florida; and for which a claim was filed in the name of said Bonnabel, in the land office at St. Helena Courthouse, under the act of Congress of twenty-fifth April, one thousand eight hundred and twelve.

Claim of 774
arpents also con-
firmed.

SEC. 2. *And be it further enacted*, That Bernard Marigny be, and is hereby, confirmed in his claim to a tract of land of seven hundred and seventy-four superficial arpents, situate in the State of Louisiana and parish of St. Tammany, bounded on the southwest by Lake Pontchartrain, on the northern side by Castin Bayou, and on the southern side by the lands confirmed in the first section of this act; the said tract of seven hundred and seventy-four arpents being the same which was granted on the twentieth January, one thousand seven hundred and seventy-seven, by Peter Chester, British governor at Pensacola, to Lewis

Davis, whose title to the same was afterwards, to wit, on the eleventh June, one thousand seven hundred and eighty-eight, confirmed by decree of Estevan Miro, Spanish governor of the provinces of Florida and Louisiana, and for which a claim was filed in the name of the heirs of Lewis Davis, in the land office at St. Helena Courthouse, under the act of Congress of the twenty-fifth April, one thousand eight hundred and twelve: *Provided*, That the said two tracts of land shall be considered as confirmed, in the same manner, and under the same regulations, restrictions, and provisions, as if the same had been recommended for confirmation in the reports of the commissioner for the district west of Pearl River, and east of the island of New Orleans, which were confirmed by the act of Congress, approved on the third day of March, one thousand eight hundred and nineteen, entitled "An act for adjusting the claims to land, and establishing land offices in the districts east of the island of New Orleans:" *Provided, also*, That the claim of Antonio Bonnabel, embraced in the said commissioner's reports, as of four hundred arpents, shall be considered as comprised in, and forming part of the tract of four thousand and twenty arpents, confirmed in the first section of this act.

Proviso.

Proviso.

No. 779.—AN ACT for the relief of John McDonough.

Be it enacted, &c., That the claim of John McDonough be, and is hereby, confirmed to four tracts of land embraced in the report of the register and receiver of the land office at St. Helena Courthouse, in the district west of Pearl River, in Louisiana, of the fourth December, one thousand eight hundred and thirty, namely: one tract of four hundred arpens, claimed under a Spanish patent to David Williams, dated eighth April, one thousand seven hundred and eighty-nine; one tract of two hundred and forty arpens, claimed under a Spanish patent to Guillemo Williams, dated eighth April, one thousand seven hundred and eighty-nine; one tract of three hundred and eighty-eight arpens, claimed under a Spanish patent to William Estevan, dated eighteenth December, one thousand seven hundred and eighty-seven; and one tract of twelve hundred arpens, claimed under a Spanish patent to Domingo Assaretto, dated eighteenth February, one thousand seven hundred and eighty-eight, and all situate in the parish of East Baton Rouge: *Provided*, That this act shall only extend to a relinquishment of title on the part of the United States, and shall not prejudice the rights of third persons. (a)

(a) See Nos. 774, 943.

March 22, 1832.
Vol. 6, p. 482.

Land claim
confirmed.

Proviso.

No. 780.—AN ACT for the relief of Prosper Marigny.

Be it enacted, &c., That the claim of Prosper Marigny be, and the same is hereby, confirmed to a tract of land on which he now resides, situated on the river Mississippi, bounded above by lands of the widow Bienvenu, and extending back to the river Des Ouatchas, and containing two thousand one hundred and thirty-nine French arpens; which tract of land the said claimant holds by sundry mesne conveyances from Governor de Bienville, to whom it was granted by the Company of the Indias: *Provided*, That this act shall extend only to a relinquishment of title on the part of the United States, and shall not prejudice the rights of third persons.

May 19, 1832.
Vol. 6, p. 488.

Land claim
confirmed.

Proviso.

No. 781.—AN ACT for the relief of Arnaud Lanaux.

Be it enacted, &c., That the title of Arnaud Lanaux be confirmed, in and to a certain tract of land lying and being in the State of Louisiana, on the left bank of the Mississippi, about six leagues below the city of New Orleans, at a place called the English Turn, containing eight arpents front and forty arpents in depth, according to the survey made by B. Lafon, on the twenty-first of January, eighteen hundred and five, and which is recognised in a patent from the French Government, bearing date the fifth of March, one thousand seven hundred and sixty-four, and which is recorded among the patented concessions of land, in book number one, at page one hundred and fifty-eight, in the register's office of the lands of the United States, at New Orleans, in the same manner and upon the same conditions, as if notice had been regularly filed with the commissioners of the United States, and the same had been by them confirmed: *Provided*, That this act shall only be construed as a relinquishment of the Government of all claim to said tract of land to said claimant: *And provided, also*, That this act shall not operate against the claim of any other person to said tract of land.

May 19, 1832.
Vol. 6, p. 488.

Land title con-
firmed.

Proviso.

Proviso.

May 19, 1832.
Vol. 6, p. 488.

No. 782.—AN ACT for the relief of Joseph Soniat Dufossat.

Land title confirmed.

Proviso.

Be it enacted, &c., That Joseph Soniat Dufossat be, and he is hereby, confirmed in his title, to a certain tract of land situated in the parish of St. Tammany, and State of Louisiana, it being a small island in Lake Pontchartrain, called Les-Coquilles, which was granted by patent from the French Government of Louisiana, dated the second June, one thousand seven hundred and sixty-two, to J. Desruissaux, described to be two leagues in length, and one and a half leagues in breadth: *Provided,* That this act shall be considered only as a relinquishment of title on the part of the United States, and not to prejudice the rights of third persons.

May 19, 1832.
Vol. 6, p. 488.

No. 783.—AN ACT for the relief of John H. Thomas, claiming under Antoine Patin.

Land claim confirmed.

Proviso.

Proviso.

Be it enacted, &c., That the legal representatives of Antoine Patin, claiming a tract of land in the county of Attakapas, in the State of Louisiana, situated on the east side of Bayou Teche, and numbered one thousand one hundred and fourteen in the report of the commissioners for the adjustment of land titles in the western district of Louisiana, be, and the same are hereby, confirmed in them to the quantity of land embraced in said claim: *Provided,* That this act shall only be construed, as a relinquishment of the Government of all claim to said tract of land to said claimant: *And provided, also,* That this act shall not operate against the claim of any third person to said tract of land.

May 19, 1832.
Vol. 6, p. 489.

No. 784.—AN ACT for the relief of Celestin Chiapella.

Land title confirmed.

Proviso.

Proviso.

Be it enacted, &c., That Celestin Chiapella be, and he is hereby, confirmed in his title to a tract of land situated on the left bank of the Mississippi River, about eight miles below the city of New Orleans, containing the quantity of three thousand and eighty-seven acres, bounded above by lands of R. Ducros, and below by lands of Magloire Guichard; and which he holds by virtue of a French grant to Joseph Laloire, dated July eighth, seventeen hundred and twenty-three; and another French grant to J. Laloire, of January second, seventeen hundred and sixty-seven; and another French grant in favor of Mr. Chaperon, dated January twenty-third, seventeen hundred and fifty-nine; and that a patent issue for the same, according to a survey made by A. S. Phelps, a deputy surveyor of the United States: *Provided, however,* That the quantity of three hundred and ninety-three superficial arpens heretofore confirmed in the name of Mary de Moleon, by the board of commissioners for the eastern district of the Territory of Orleans, as evidenced by their certificate, number one hundred and forty-six, shall be considered as forming part of the tract of land hereby confirmed: *And provided, further,* That this act shall be construed to operate merely as a relinquishment of title on the part of the United States, and not to prejudice the rights of third persons.

June 15, 1832.
Vol. 6, p. 495.

No. 785.—AN ACT for the relief of the legal representatives of John McHugh.

Land claim confirmed.

Proviso.

Be it enacted, &c., That there shall be, and hereby is, confirmed unto the legal representatives of John McHugh, the tract of land settled upon and cultivated by John McHugh, in his life-time, situate on White Bayou, within a survey once supposed to be the property of D. Amos, but which claim was rejected by Congress; the same lying and situate in the parish of East Baton Rouge, in the State of Louisiana, not to exceed, in the whole, more than six hundred and forty acres, and that a patent shall issue for the said tract of land in the usual form: *Provided, however,* That the said legal representatives of the said John McHugh have not, and shall not, claim any other lands in right of settlement and cultivation, and that this act shall operate only as a relinquishment on the part of the United States of all their right and claim to the said lands, and shall not interfere with, or affect the right or claim of other persons.

June 15, 1832.
Vol. 4, p. 534.

No. 786.—AN ACT to authorize the inhabitants of the State of Louisiana to enter the back-lands.

Owners of tracts on a river, &c., not exceed-

Be it enacted, &c., That every person, who, either by virtue of a French or Spanish grant, recognised by the laws of the United States, or under a claim confirmed by the commissioners appointed for the purpose of

ascertaining the rights of persons claiming lands in the State of Louisiana, or by virtue of any title derived from the United States, owns a tract of land bordering on any river, creek, bayou or water-course, in the said Territory, and not exceeding in depth forty arpens, French measure, shall be entitled to a preference in becoming the purchaser of any vacant tract of land adjacent to, and back of, his own tract, not exceeding forty arpens, French measure in depth, nor in quantity of land, that which is contained in his own tract; at the same price and on the same terms and conditions, as are, or may be, provided by law for the other public lands in the said State. And the surveyor-general for the State of Louisiana shall be, and he is hereby, authorized to cause to be surveyed the tracts claimed by virtue of this section; and in all cases where, by reason of bends in the river, lake, creek, bayou, or water-course, bordering on the tract, and of adjacent claims of a similar nature, each claimant cannot obtain a tract equal in quantity to the adjacent tract already owned by him, to divide the vacant land applicable to that object between the several claimants, in such manner as to him will appear most equitable: *Provided, however,* That the right of pre-emption granted by this section, shall not extend so far in depth as to include lands fit for cultivation, bordering on another river, creek, bayou or water-course. And every person entitled to the benefit of this section shall, within three years after the date of this act, deliver to the register of the proper land office, a notice, in writing, stating the situation and extent of the tract of land he wishes to purchase; and shall also make the payment and payments for the same at the time and times which are or may be prescribed by law for the disposal of the other public lands in the said State, the time of his delivering the notice aforesaid being considered as the date of the purchase: *Provided, also,* That all notices of claims shall be entered, and the money paid thereon, at least three weeks before such period as may be designated by the President of the United States, for the public sale of the lands in the township in which such claims may be situated, and all claims not so entered shall be liable to be sold as other public lands. Whenever it shall be necessary to resurvey the public lands, in order to enable persons entitled to avail themselves of the provisions of this act, the expenses of such resurvey shall be paid by the person or persons, who shall enter the lands so resurveyed under this act, at the time he or they shall pay the price of such land to the receiver of public money. And if any such person shall fail to deliver such notice within the said period of three years, or to make such payment or payments at the time above mentioned, his right of pre-emption shall cease, and become void; and the land may, thereafter, be purchased by any other person, in the same manner, and on the same terms, as are, or may be provided by law for the sale of other public lands in the said State. (a)

(a) See Nos. 704, 708, 710, 720, 722, 729, 730, 731, 732, 761, 768, 813, 818, 849, 858, 860, 897, 899, 919, 920, 928, 963.

ing forty arpens in depth, entitled to pre-emption of back tract, &c.

Surveys of such back tracts and division in certain cases.

Proviso: Pre-emption not to embrace, &c. Time for using pre-emption right

Re-surveys, at whose expense.

On the failure of notice, &c., pre-emption right to be void.

No. 787.—AN ACT for the relief of Hannah McKim.

Be it enacted, &c., That Hannah McKim be confirmed in her claim to a tract of six hundred and forty acres of land, for which she filed her claim with the register and receiver of the land office south of Red River, pursuant to the acts of Congress of the third of March, one thousand eight hundred and twenty-three, and the twenty-sixth of May, one thousand eight hundred and twenty-four, in relation to lands situated between the Rio Honde and Sabine rivers, in the State of Louisiana, on the main fork of the Bayou Provincial; and which claim was, by the said register and receiver, in their report of the first of November, one thousand eight hundred and twenty-four, made to the Secretary of the Treasury, ranked in the fourth class, number one hundred and sixteen; and that the said claim be regarded and considered as if the same had been ranked by the said register and receiver, in their said report, in the third class; and that the said Hannah McKim be entitled to all the privileges, advantages, and benefits to which she would have been entitled, or which would have accrued to her, if her said claim had been ranked in the third class of the said report: *Provided,* That nothing in this act contained shall be construed to affect or impair the claim, title, or interest of any other person to the same land, or any part thereof, derived either from the United States or otherwise. This act shall commence and be in force from and after the passage thereof.

June 25, 1832.
Vol. 6, p. 497.

Land claim confirmed.

Proviso.

June 25, 1832.
Vol. 6, p. 498.

Land claim confirmed.

No. 788.—AN ACT for the relief of Dorothy Wells.

Proviso.

Be it enacted, &c., That there shall be, and hereby is, confirmed unto Dorothy Wells, the tract of land by her occupied and cultivated, in the parish of West Feliciana, in the State of Louisiana, situate on the river Mississippi, which bounds it westwardly; and bounded north by lands granted to William Williams, on the east by land granted to Gilbert Miles, and on the south by other lands, the owner whereof is not known; not to exceed, in the whole, more than six hundred and forty acres; and that a patent shall be issued and granted to the said Dorothy Wells, for the land above described, in the usual form: *Provided, however,* That the said Dorothy Wells has not and shall not claim any other lands in right of settlement and cultivation; and that this act shall only operate as a relinquishment on the part of the United States, of all their right and claim to the said land, and shall not interfere with, or affect the claim or claims of third persons derived from the Government of Spain, or of the United States.

June 25, 1832.
Vol. 6, p. 498.

Land claims confirmed.

No. 789.—AN ACT for the relief of the inhabitants of Terre Aux Bœufs.

Be it enacted, &c., That the claims of the inhabitants residing on the Bayou Terre Aux Bœufs, in the parish of St. Bernard, and State of Louisiana, to the several tracts of land lying on said Bayou, as described in the plat of survey made by Augustus S. Phelps, deputy-surveyor of the United States for the State of Louisiana, in May, one thousand eight hundred and thirty-one, to wit:

		Arpens.	Toises.	Feet.	
1	E. Marin and J. Wogan.....	10	4	1½	Lying on both sides of the Terre aux Bœufs.
2	Widow Joseph Fons.....	1	2	5½	
3	Gabriel Perrera.....	0	29	5	
4	Francisco de Torres.....	0	21	1	
5	Bernard Gutierrez.....	1	9	1	
6	Antonio Guera.....	0	16	4	
7	Antonio Gutierrez.....	0	24	1	
8	Bisente Sardina.....	0	14	4	
9	Succession of Serpas.....	0	29	5	
10	John Baptiste Bourg.....	0	21	2	
11	Widow Francisca Lopez.....	0	19	0	
12	Andrea Gonzales.....	0	10	4½	
13	Succession of Esteves.....	2	2	3½	
14	Madam Garie.....	2	8	5	
15	Cyprien Lefebvre.....	0	13	5½	
16	Eugene Charles Dumouchel.....	0	27	2½	
17	Manuel Solis.....	0	17	3½	
18	Etienne Veillon.....	0	17	3½	
19	Pierre Thomas.....	0	15	0	
20	Balthazar Enoul Livaudais.....	0	15	0	
21	Manuel Solis.....	0	15	0	
	And on the opposite side of Terre aux Bœufs.....	0	22	3	Lying on both sides of the Terre aux Bœufs.
22	Maria Lopez.....	0	7	3	
23	Succession of Dimanche.....	0	29	5½	
24	Francisca Rodriguez.....	0	15	5	
25	Marcelina Lamar, widow Cassanova.....	0	16	9	
26	Gabriel Cassanova.....	0	4	0	
27	Francis Carle.....	0	16	4½	
28	Bastien Gonzales.....	0	10	4½	
29	Widow Joseph Hernandez.....	0	15	5	
30	Manuel Asevedo.....	0	26	3½	
31	Nicholas Dejean.....	0	14	5½	
32	Joseph Oramos.....	1	7	1½	
	On the opposite side.....	1	8	2½	
33	Juan Cassanova.....	0	14	0½	
	On the opposite side.....	0	15	2	
34	Gregoire Malarin.....	0	7	0½	
	On the opposite side.....	0	7	3½	

		Arpens.	Toises.	Feet.	Land claims confirmed.
35	Lorenzo Medina.....	0	7	0 $\frac{1}{2}$	Lying on both sides of the Terre aux Boeufs.
	On the opposite side.....	0	7	3 $\frac{1}{2}$	
36	Widow Ramirez.....	1	17	5 $\frac{1}{2}$	
	On opposite side.....	1	14	1 $\frac{1}{2}$	
37	Laurent Millaudon.....	19	5	4	
	On opposite side.....	19	4	5	
38	Succession of Joseph Sanchez....	0	23	3 $\frac{1}{2}$	
	On opposite side.....	0	10	0	
39	Diego Sanchez.....	1	5	0 $\frac{1}{2}$	
	On the opposite side.....	0	10	0	
40	Geronimo Oramus.....	0	10	0	
41	Juan Gutierrez.....	1	23	4	
42	Marie Ojeda.....	0	24	0 $\frac{1}{2}$	
43	Francisco Gutierrez.....	0	5	4 $\frac{1}{2}$	
	On opposite side.....	1	24	4	
44	Antonio Lopez.....	0	26	4 $\frac{1}{2}$	
45	Manuel Solis.....	0	13	0 $\frac{1}{2}$	
46	Santiago Rodriguez.....	0	19	5	
	On opposite side.....	0	8	5 $\frac{1}{2}$	
47	Martial St. Germain.....	0	17	5	
48	Widow Stopinal.....	2	13	4	
	On opposite side.....	1	29	3 $\frac{1}{2}$	
49	Juan Medina.....	0	14	5	
	On opposite side.....	0	13	5 $\frac{1}{2}$	
50	Martial St. Germain.....	2	22	3	
	On opposite side.....	2	24	4	
51	Francisco Sanchez.....	1	12	2 $\frac{1}{2}$	
52	Debouchelle and Chalaire, broth- ers.....	5	1	5	
	On opposite side.....	6	11	2 $\frac{1}{2}$	
53	Francisco Gutierrez.....	0	10	3 $\frac{1}{2}$	
54	Antonio Serpas.....	0	21	3 $\frac{1}{2}$	
55	Louis Cure.....	1	1	2	
56	Pierre Jorda.....	18	15	5	
	On opposite side.....	18	15	5	
57	Bienvenu, brothers.....	0	2	2 $\frac{1}{2}$	
	On opposite side.....	0	1	0	
58	Juan Solis.....	0	15	1	
	On opposite side.....	0	16	1 $\frac{1}{2}$	
59	Joseph Serpas.....	0	18	0 $\frac{1}{2}$	
	On opposite side.....	0	18	2 $\frac{1}{2}$	
60	Succession of Joseph de Armas..	0	7	5 $\frac{1}{2}$	
61	Succession of Antonio Nieves....	0	7	5 $\frac{1}{2}$	
62	Joseph Nieves.....	0	15	5	
63	Juan Perez.....	0	29	4 $\frac{1}{2}$	
64	Bienvenu, brothers.....	0	28	1 $\frac{1}{2}$	
65	Roman Catholic Church land....	1	18	1 $\frac{1}{2}$	
66	Bienvenu, brothers.....	18	21	4	
67	Gabriel N. Allard.....	17	26	0	
68	Jacques Toutant.....	22	6	4	
	On the other side.....	22	7	1	
69	P. Reaud and Olivier, brothers...	3	21	5 $\frac{1}{2}$	
	On the opposite side.....	3	21	2 $\frac{1}{2}$	
70	Felix Marrero.....	4	11	4 $\frac{1}{2}$	
	On opposite side.....	4	11	4 $\frac{1}{2}$	
71	Succession of Bisente Marero....	3	14	5 $\frac{1}{2}$	
	Opposite side.....	3	14	5 $\frac{1}{2}$	
72	Charles Fagot.....	0	21	2 $\frac{1}{2}$	
	On opposite side.....	0	21	2 $\frac{1}{2}$	
73	Martin Robin.....	0	21	2 $\frac{1}{2}$	
	Opposite side.....	0	21	2 $\frac{1}{2}$	
74	P. Reaud and Olivier, brothers...	22	22	2 $\frac{1}{2}$	
	Opposite side.....	22	21	3	
75	Madam Olivier.....	17	6	5 $\frac{1}{2}$	
	Opposite side.....	17	7	4 $\frac{1}{2}$	

Land claims confirmed.		Arpens.	Toises.	Feet.	
76	Augustin Reggio.....	17	5	0	
	Opposite side.....	17	5	0	
77	Bartole de Armos.....	2	17	4	
	Opposite side.....	2	17	4	
78	Succession of Antonio Meneses...	1	23	5	
	Opposite side.....	1	23	5	
79	Succession of Edwd. Alpuente...	0	7	0	
	Opposite side.....	0	6	5½	
80	Catalina Alfonso.....	0	7	0	
	Opposite side.....	0	6	5½	
81	Succession of Edwd. Alpuente...	2	0	0½	
	Opposite side.....	1	29	2½	
82	Bartole Molaro.....	3	4	1½	
	Opposite side.....	3	4	4	
83	Marguerite Molero, widow Nunez.	1	17	0½	
	Opposite side.....	1	17	1	
84	Christoval Molero.....	1	16	5½	
	Opposite side.....	1	17	0	
85	Antony Molero.....	2	14	5	
	Opposite side.....	2	15	1	
86	Manuel Lombas.....	0	29	0½	
	Opposite side.....	0	29	0½	
87	Juan Alfonso.....	2	28	3½	Both sides of the Terreaux Baufs.
88	Roque Acosta.....	2	21	0	
89	Antoine Landier.....	5	5	3	
90	Francisco Alfonso.....	2	14	5½	
91	Manuel Solis.....	21	14	0	
92	Widow Nunez.....	14	15	0	
93	Pedro Hernandez.....	5	20	0	
94	Widow Nunez.....	5	22	0	
95	Felix Marrero.....	13	15	0	

Proviso.

be, and the same are hereby, confirmed, and recognised as valid, upon the same terms and conditions that other Spanish claimants, residing in the State of Louisiana, east of the Mississippi, and island of Orleans, have been heretofore confirmed: *Provided*, That this act shall only be construed as a relinquishment of any claim of the United States in and to any part or portion of the lands described in said plat: *And provided also*, That this act shall not be deemed or held to interfere with the claims or rights of any person or persons whatever.

Church lands confirmed.

SEC. 2. *And be it further enacted*, That the tract of land described in said plat as belonging to the church, measuring one arpent, eighteen toises, and one foot, and one-third of a foot, and numbered in the preceding list sixty-five, be, and the same is hereby, confirmed and recognized as valid, to and for the uses and purposes for which the same has

Proviso.

been heretofore held and used: *Provided, also*, That this act shall be only considered a relinquishment on the part of the United States, and not to interfere with the rights of others.

July 4, 1832.
Vol. 4, p. 561.

No. 790.—AN ACT for the final adjustment of the claims to lands in the southeastern land district of the State of Louisiana.

Claims to lands in Louisiana to be presented to register and receiver at New Orleans, prior to 1st July, 1833.

Be it enacted, &c., That any person or persons, claiming lands within the limits of the southeastern land district of the State of Louisiana, agreeably to the provisions of the laws heretofore enacted for the adjustment of land claims in that part of the Territory of Orleans or State of Louisiana, but whose titles have not been heretofore confirmed, may, at any time prior to the first day of July, one thousand eight hundred and thirty-three, present their claims, together with the written evidence and other testimony in support of the same, to the register and receiver of the land office at New Orleans; and it shall be the duty of the said register and receiver to record, in a book to be kept for that purpose, the notice of every claim so preferred, together with the evidence; for which service they shall receive a compensation from the claimants, at the rate of twenty-five cents for every hundred words.

Notice of claim to be recorded.

Fees.

SEC. 2. *And be it further enacted*, That the said register and receiver shall, at or before the beginning of the next session of Congress thereafter, make to the Secretary of the Treasury a report of the claims which may have been preferred before them, together with the testimony, their opinion of the validity of the claims, and such other information respecting them as may be in their possession; which report shall, by the Secretary of the Treasury, be laid before Congress as soon as practicable, with his opinion touching the validity of the respective claims: *Provided*, That no claim shall be therein recommended for confirmation, for more than the quantity contained in a league square.

Claims to be reported to the Secretary of the Treasury, and to be laid before Congress.

Proviso.

SEC. 3. *And be it further enacted*, That the sales of land in the said southeastern district, by public auction or private entry, shall be suspended until after the first day of July, one thousand eight hundred and thirty-three.

Sales of land suspended until after July 1st, 1833.

SEC. 4. *And be it further enacted*, That all persons who, before the first Monday of November, one thousand eight hundred and thirty, held lands in the said southeastern district, by claims unconfirmed, but which were embraced in the principles of the previous laws for the adjustment of claims in that part of the Territory of Orleans or State of Louisiana, which lands may have been sold at the public sale which took place at New Orleans on the first Monday of November, one thousand eight hundred and thirty, under the President's proclamation of the fifth June, one thousand eight hundred and thirty, may avail themselves of this act as though their lands had not been sold; and the said register and receiver shall make a separate report of the cases of this class: and if it shall appear to the Secretary of the Treasury that all or any of the claims contained therein, although unconfirmed, are embraced in the intent and meaning of the previous laws for the adjustment of land claims as aforesaid, he is hereby authorized to repay to the persons, or the legal representative of the persons who purchased, such sum or sums as they may have paid for lands of this description, bought by them at the said public sale. (a)

Persons who held lands by claims unconfirmed, &c., may avail themselves of the benefits of this act.

Separate report of cases of this class to be made to the Secretary of the Treasury, &c.

Purchasers to be reimbursed.

SEC. 5. *And be it further enacted*, That, in addition to the compensation hereinbefore provided, the said register and receiver shall receive, for the services required of them by this act, the sum of five hundred dollars each, to be paid by the Secretary of the Treasury out of any moneys in the Treasury not otherwise appropriated.

Additional compensation.

(a) See Nos. 699, 701, 703, 704, 705, 708, 610, 712, 716, 718, 721, 722, 723, 724, 728, 731, 732, 737, 738, 739, 740, 745, 746, 749, 752, 753, 777, 817, 819, 826, 852, 863, 864, 873, 889, 899, 904, 911, 946, 956, 957, 961, 967.

No. 791.—AN ACT confirming the claim of Maria Holliday to a tract of land in Louisiana.

July 13, 1832.
Vol. 6, p. 509.

Be it enacted, &c., That Maria Holliday be, and she is hereby, confirmed in her claim to a tract of land, now in her possession, lying between the river Mississippi and Lake Pontchartrain, and about sixteen miles above the city of New Orleans, in the State of Louisiana, and having a front of twenty-four and a half arpens on the said river, and extending in depth to the said lake: *Provided*, That such confirmation shall only operate as a relinquishment of all right and title on the part of the United States to said land.

Land claim confirmed.

Proviso.

No. 792.—AN ACT for the relief of Bernard Leonard and Jacob Black.

July 14, 1832.
Vol. 6, p. 512.

Be it enacted, &c., That Bernard Leonard be, and he is hereby, confirmed in his claim as assignee of Peter Young and David Durham, to two tracts of land, of six hundred and forty acres each, situated on the south side of Red River, and in the tract of country commonly called the Neutral Territory, and about thirty-five miles above the town of Natchitoches, to be located in such manner as to embrace the improvements made by Peter Young and David Durham, severally, before the twenty-second day of February, one thousand eight hundred and nineteen.

B. Leonard's land claim confirmed.

SEC. 2. *And be it further enacted*, That Jacob Black, as assignee of Nathaniel Hickman and Isaiah Hickman, be, and he is hereby, confirmed in his claim to two tracts of land of six hundred and forty acres each, situated on the south side of Red River, within the aforesaid territory, about thirty-six miles above the town of Natchitoches, to be located in such manner as to embrace the improvements made thereon by said Nathaniel and Isaiah Hickman, severally, previous to the twenty-second

Also, claim of N. Hickman.

Proviso. day of February, one thousand eight hundred and nineteen: *Provided*, That this act shall be considered only as a relinquishment of title on the part of the United States, and not to prejudice the rights of third persons.

July 14, 1832.
Vol. 6, p. 519.

No. 793.—AN ACT for the relief of John F. Girod, of Louisiana.

Land patent to be issued to him. *Be it enacted, &c.*, That the Commissioner of the General Land Office be, and he hereby is, directed to issue to John F. Girod a patent for four fractional quarter-sections of land in the parish of Ouachita, State of Louisiana, containing two hundred and ninety-two acres and eleven-hundredths, lying in township seventeen, range three east, section second, it being the same lately sold at the land sales at Ouachita, and purchased by said Girod, through his agent, Bernard Hemkin.

Money improperly paid to be refunded. **SEC. 2.** *And be it further enacted*, That the Secretary of the Treasury shall pay to said Girod, out of any money in the Treasury not otherwise appropriated, the sum of three hundred and twenty-five dollars and eighty-eight and three-fourths cents, this being the amount improperly paid by Girod for said land; and that said Girod be exempted from all further liability to the Government, on account of any part of the purchase money of said land yet unpaid.

July 14, 1832.
Vol. 6, p. 520.

No. 794.—AN ACT for the relief of John Buhler.

Land claim confirmed. *Be it enacted, &c.*, That there shall be, and hereby is, confirmed unto John Buhler, the tract of land lately occupied by Stephen Hackney, deceased, containing five hundred and twenty-two acres, bounded as follows: On the upper line, by lands the property of the heirs of John C. Faulkner; and on the lower line, by lands claimed by Joshua Alexander; and on the east, by lands confirmed by Congress to John Cooper: said lands situated on the east side of the Mississippi River; and that a patent shall be issued and granted to the said John Buhler, for the land above described, in the usual form: *Provided, however*, That the representatives and assignees, or any, or either of them, shall not claim, and has not claimed, any other lands in right of settlement and cultivation; and that this act shall only operate as a relinquishment, on the part of the United States, of all their right and claim to the said land, and shall not interfere with, or affect the claim or claims of third persons.

Proviso.

July 14, 1832.
Vol. 6, p. 523.

No. 795.—AN ACT for the relief of Benjamin Bullitt.

Land claim confirmed. *Be it enacted, &c.*, That Benjamin Bullitt be, and he is hereby, confirmed in his claim to a tract of land of six hundred and forty acres in his own right, and in a further claim as assignee of Toussaint Lafleur, to a tract of land of six hundred and forty acres of land, both situated on the south side of Red River, within the tract of country commonly called the Neutral Territory, and about twenty-four miles above the town of Natchitoches, to be located in such manner as to embrace the improvements made by the said Bullitt and Lafleur, respectively, before the twenty-second of February, eighteen hundred and nineteen: *Provided*, That this act shall be considered only as a relinquishment of title on the part of the United States, and not to prejudice the rights of third persons.

Proviso.

July 14, 1832.
Vol. 6, p. 526.

No. 796.—AN ACT for the relief of the widow and heirs of Pedro, alias Pierre Guedry.

Land claim confirmed to widow and heirs of P. Guedry. *Be it enacted, &c.*, That the widow and heirs of Pedro, alias Pierre Guedry, deceased, be, and they are hereby, confirmed in their claim to a tract of land containing four and one-half arpents in front, and forty arpents in depth, on the Mississippi River, at the distance of about four miles above the mouth of the Manchac, in the State of Louisiana; being a part of a tract granted to the said Pedro, alias Pierre Guedry, by the Baron de Carondelet, by letters-patent, bearing date the seventh day of December, seventeen hundred and ninety-two.

And to Francis Daigre. **SEC. 2.** *And be it further enacted*, That Francis Daigre be confirmed in his claim to the residue of the said tract of land; and that the said

widow and heirs of the said Guedry, and the said Francis Daigre, be, and they are hereby, authorized to enter their respective claims to the tract of land aforesaid, in the land office at Saint Helena Courthouse, in the State of Louisiana: *Provided*, That the said Francis Daigre be required to exhibit to the register and receiver of the said land office, either a good legal or equitable title to the part of the said tract of land claimed by him: *And provided, also*, That nothing in this act contained shall be so construed as to affect the claim of any other person or persons to said land, or any part thereof, derived either from the United States or from any other source whatever.

Proviso.

Proviso.

No. 797.—AN ACT for the relief of the heirs of Nathaniel Hillen.

July 14, 1832.
Vol. 6, p. 526.

Be it enacted, &c., That the right of the heirs of Nathaniel Hillen, in and to a certain tract of land lying in the parish of East Baton Rouge, in the State of Louisiana, containing six hundred and forty acres, upon which Nathaniel Hillen resided in his lifetime, and which has been since cultivated by Robert Hillen, for the use and benefit of said heirs, be recognised as valid, and confirmed to said heirs, in the same manner, and upon the same terms and conditions, as if their claim had been filed with the commissioners under the act of Congress passed the twenty-fifth April, one thousand eight hundred and twelve, chapter sixty-seven, section eight, and been confirmed by the act of one thousand eight hundred and nineteen, chapter five hundred and ten, section three: *Provided*, That this act shall not be construed to extend further than a relinquishment on the part of the United States, to any claim in and to said tract of land: *And provided, also*, That this act shall not be considered as interfering with the rights of other persons in and to said tract of land.

Land claim confirmed.

Proviso.

Proviso.

No. 798.—AN ACT for the relief of the children of Charles Comb and Marguerite Laviolet, his wife.

Jan. 14, 1833.
Vol. 6, p. 528.

Be it enacted, &c., That the children of Charles Comb and Marguerite Laviolet, be, and they are hereby, confirmed in their title to a tract of land of six hundred and forty acres, situated in the county of Attakapas, State of Louisiana, to be located in such manner as to embrace the improvements made by Louis Doze and Marguerite Laviolet, his wife, in their lifetime: *Provided*, That this act shall be considered only as a relinquishment of title on the part of the United States, and not to affect the rights of third persons.

Land title confirmed.

Proviso.

No. 799.—AN ACT for the relief of Eugene Borell.

Jan. 14, 1833.
Vol. 6, p. 528.

Be it enacted, &c., That Eugene Borell be, and he is, confirmed in his claim to six hundred and forty acres of land, in virtue of actual settlement and cultivation, before and ever since the twentieth day of December, one thousand eight hundred and three; which tract of land is situated in the county of Attakapas, in the State of Louisiana, at a place called Sheepek, and lying upon the west side of the bayou "Cypremort," it being the part of a twenty-four acre tract, fronting on said bayou, by forty back, bounded northwardly by lands of the heirs of Joseph Sorell, eastwardly by the said bayou "Cypremort," southwardly by other lands of the heirs of said Joseph Sorell, and westwardly at the depth of forty arpents, by public lands: *Provided*, That this act shall extend only to a relinquishment of the title of the United States, and shall not prejudice the rights of third persons.

Land claim confirmed.

Proviso.

No. 800.—AN ACT for the relief of William B. Keene and John L. Martin, and for other purposes.

Jan. 28, 1833.
Vol. 6, p. 529.

Be it enacted, &c., That William B. Keene and John L. Martin be, and they are hereby, authorized and permitted to complete their purchase of lot number sixteen, in township number twenty-one, range number thirteen, east, in the district north of Red River, in the State of Louisiana, in virtue of their right of pre-emption, according to the act of Con-

Authorized to purchase school land.

gress of the twenty-ninth of May, one thousand eight hundred and thirty, any law to the contrary notwithstanding.

Reservation of other land for schools. SEC. 2. *And be it further enacted*, That it shall be the duty of the Secretary of the Treasury to cause to be selected and reserved for the use of schools, within the said fractional township number twenty-one, in lieu of the aforesaid lot, a lot of land of equal extent and value, in the same township, or the next thereto adjoining.

Jan. 30, 1833.
Vol. 6, p. 530.

No. 801.—AN ACT for the relief of the heirs of Jean Baptiste Saucier.

Land title confirmed.

Proviso.

Be it enacted, &c., That the heirs of Jean Baptiste Saucier be, and they are hereby, confirmed in their title to a tract of land of six hundred and forty acres, situated in the parish of Plaquemine, State of Louisiana, on both sides of the river Aux Chenes, to be located in such manner as to embrace the improvements made by the said J. B. Saucier, in his lifetime: *Provided*, That this act shall only be considered as a relinquishment of title on the part of the United States, and not to prejudice the rights of third persons.

Feb. 9, 1833.
Vol. 6, p. 534.

No. 802.—AN ACT for the relief of Josiah Barker.

Land title confirmed.

Same as to double concession of part of the above tract.

Proviso.

Be it enacted, &c., That Josiah Barker be, and he is hereby, confirmed in his title to a tract of land of one thousand and one superficial arpens and three hundred toises, having a front of thirteen arpens and six toises, on the Mississippi, in the parish of East Baton Rouge, in the State of Louisiana, it being the same land granted by separate patents to Zachariah Norton and John Fitz Patrick, dated February fourteenth, one thousand seven hundred and eighty-six, and signed by Estevan Miro, governor-general of Louisiana.

SEC. 2. *And be it further enacted*, That the said Josiah Barker be confirmed in his title to a tract of land, not exceeding the quantity of twelve hundred and eighty acres, by virtue of an order of survey for a double concession, granted by the Baron de Carondelet, on the twentieth of January, one thousand seven hundred and ninety-five, in favor of widow Hindson, to be located adjacent to and back of the lower tract of eleven arpents front, confirmed in the first section of this act, and not to extend more than forty arpents in the rear of the said front tract: *Provided*, That this confirmation shall only amount to a relinquishment of title on the part of the United States, and not to prejudice the rights of third persons.

March 2, 1833.
Vol. 4, p. 662.

No. 803.—AN ACT authorizing the removal of the office of surveyor-general of public lands south of Tennessee.

Presentation of accounts for surveys.

SEC. 2. *And be it further enacted*, That all accounts for surveys of public land in the State of Louisiana, not approved before the first day of April next, shall be presented with the proper returns of such surveys, to the office of the surveyor-general of public lands for the State of Louisiana, for settlement and allowance. (a)

(a) See Nos. 701, 703, 704, 708, 710, 718, 722, 724, 727, 730, 731, 777, 858.

April 15, 1834.
Vol. 6, p. 557.

No. 804.—AN ACT for the relief of John Bills.

Land title confirmed.

Proviso.

Be it enacted, &c., That John Bills, of the parish of East Baton Rouge, be, and he hereby is, confirmed in his title to two hundred and fifty-seven acres of land, situate and lying in the parish of East Baton Rouge, in the State of Louisiana, in township number seven, of range one, east, in the district of lands offered for sale in the parish of St. Helena, which tract of land is bounded on the north, by P. Hickey; on the west, by A. Grass; on the south, by Henry Thomas; and on the east, by William and Francis Thomas; upon his paying to the proper officer of the land office at St. Helena, the sum of one dollar and twenty-five cents per acre. *Provided, however*, That this act shall not be so construed as to interfere with any adverse claim to the land hereby authorized to be purchased, if any such there be.

No. 805.—AN ACT supplementary to an act entitled "An act for the relief of Garrigues Flaujac, of Louisiana," approved on the twentieth May, one thousand eight hundred and twenty-six.

May 1, 1834.
Vol. 6, p. 559.

Be it enacted, &c., That Garrigues Flaujac, of Louisiana, or his legal representatives, be, and he and they are hereby, authorized to locate the tract of land of three thousand two hundred arpens, described in the act to which this is supplementary, upon any of the unappropriated public lands in the southwestern district of lands south of Red River, in portions of not less than eight hundred superficial arpens, conforming, as nearly as practicable, to the lines of the public surveys: *Provided,* That, in addition to the release heretofore executed, the said Flaujac shall further, within one year from the passage of this act, release to the United States, in such form as the Commissioner of the General Land Office may direct, all right, title, and claim to, or in any lands heretofore located, pursuant to the act of which this is a supplement: *And provided further,* That the new location herein authorized, shall be made in one year from and after the passage of this act. (a)

Authorized to locate a tract of land.

Proviso.

Proviso.

(a) See Nos. 758, 855.

No. 806.—AN ACT for the relief of John L. Lobdell.

May 1, 1834.
Vol. 6, p. 559.

Be it enacted, &c., That John L. Lobdell be, and he is hereby, confirmed in his title to a tract of land containing seven hundred superficial arpens, situated on the west bank of the Mississippi, in the parish of West Baton Rouge, opposite Brown's Island; it being the same tract of land granted to Stephen Watts, by the Spanish Government, on the twelfth day of December, one thousand seven hundred and ninety-eight, by patent bearing that date, as the same was surveyed by Carlos Trudeau, at that time surveyor-general of the province of Louisiana: *Provided,* That this act shall be taken and construed only as a relinquishment on the part of the United States, and not to prejudice the rights of third persons.

Land title confirmed.

Proviso.

No. 807.—AN ACT for the relief of Luther L. Smith.

May 14, 1834.
Vol. 6, p. 561.

Be it enacted, &c., That it shall be lawful for Luther L. Smith, of the parish of West Feliciana, in the State of Louisiana, at any time within six months from and after the passage of this act, to enter and purchase at the land office at Helena Courthouse, at the price of one dollar and twenty-five cents per acre, a tract of land situated in said parish of West Feliciana, said to contain two hundred and seventy-nine arpens, French measure, it being the same that was conveyed by Nicholas de Semils, by order of the intendant-general of West Florida, as appears by his process verbal bearing date the fifth day of May, one thousand eight hundred and ten, and numbered eighteen hundred and thirty-five, and recorded in the office of the clerk of commissioners of land claims west of Pearl River and east of the Mississippi in book E, number one, folio one hundred and thirty-eight: *Provided,* It shall appear to the satisfaction of the register and receiver for the district aforesaid, that the said tract of land is a part of the public domain.

May enter and purchase a tract of land.

Proviso.

No. 808.—AN ACT for the relief of the heirs and legal representatives of Frances Barham, deceased, and her husband, Fielding Barham.

June 18, 1834.
Vol. 6, p. 563.

Be it enacted, &c., That six hundred and forty acres of land, situated in the parish of East Feliciana, on Carr's Creek, in the State of Louisiana, to be located so as to embrace the improvements of Frances and Fielding Barham, be, and the same is hereby, confirmed, as a donation to the heirs and legal representatives of the said Frances and Fielding Barham, and the Commissioner of the General Land Office of the United States is hereby required to issue a patent, in the usual form, for the same: *Provided,* That the said heirs or representatives, or any one else, shall not be entitled to but one settlement right upon the account of the settlement made by the said aforesaid Francis or Fielding, or both or either of them: *Provided, further,* That the title, hereby conveyed, shall not be construed, so as to prejudice the rights of third persons, or as anything more than a quit-claim title on the part of the United States.

Patent for 640 acres to issue.

Proviso.

Proviso.

June 19, 1834.
Vol. 6, p. 564.

Land claims
confirmed.

Proviso.

No. 809.—AN ACT for the relief of the heirs of Alexander Boyd, deceased.

Be it enacted, &c., That the heirs of Alexander Boyd, deceased, be, and they are hereby, confirmed in their claim to three hundred arpens of land, situated on the left bank of the river Comite, in the State of Louisiana, to be located according to a plat of survey made of said land by Don Vincent Sebastian Pentardo, on the twenty-ninth of August, one thousand seven hundred and ninety-nine, and approved by the royal surveyor of the province, Carlos Trudeau, on the twentieth November, one thousand seven hundred and ninety-nine: *Provided*, That nothing in this act contained shall, in any manner, affect the rights of third persons, or any claim derived from the United States, by purchase or donation.

June 26, 1834.
Vol. 6, p. 567.

Authorized to
enter land.

No. 810.—AN ACT for the relief of Asher Morgan and others.

Be it enacted, &c., That Asher Morgan and the heirs at law of Philip Fitzgerald, deceased, be, and they are hereby, authorized to purchase quarter-sections number twenty-three and twenty-four, in township twenty-one, and range thirteen east, in the district of lands north of the Red River, in the State of Louisiana, near Lake Providence, according to, and in pursuance of, the provisions of an act of Congress passed the twenty-ninth of May, one thousand eight hundred and thirty, giving the right of pre-emption to actual settlers in said district.

SEC. 2. *And be it further enacted*, That the register and receiver of said district be, and they are hereby, required to select two other quarter-sections in said township, to be applied to the use and purposes to which said quarter-sections have been heretofore assigned by them.

June 28, 1834.
Vol. 6, p. 574.

Land title con-
firmed.

Proviso.

No. 811.—AN ACT confirming the title of Samuel Vail in a certain tract of land in the parish of East Baton Rouge, Louisiana.

Be it enacted, &c., That Samuel Vail, of the parish of East Baton Rouge, Louisiana, be confirmed in his title to two hundred and forty superficial arpens of land in said parish, adjoining lands of John Seay, on the north, Philip Hicky, on the south, on the east by vacant land, and on the west by land of Antonio Grass and Armand Duplantu, conveyed to Jesse Ratcliff in pursuance of a grant made by the Spanish Governor, Don Manuel Gayoso de Lemos, of the fourteenth February, seventeen hundred and ninety-nine, and by sundry mesne conveyances, vested in the said Samuel Vail: *Provided*, That this act shall be construed only as a release from the Government of the United States, and not to affect the titles of any third persons.

June 28, 1834.
Vol. 6, p. 575.

Title confirmed
to a certain tract
of land.

Also, to another tract.

Proviso.

No. 812.—AN ACT for the relief of Marguerite Baron, widow of Jean Pierre Ledoux.

Be it enacted &c., That Marguerite Baron, widow of Jean Pierre Ledoux, be, and she is hereby, confirmed in her title to a tract of land of twenty arpens in front on the Mississippi, and forty arpens in depth, which tract is situated on the left bank of the Mississippi, in the parish of West Feliciana, in the State of Louisiana, at what is called "Isle aux Chats," or Cats' Island; this being the same tract of land which was granted by the Spanish Government to Jean Pierre Ledoux in the year one thousand seven hundred and eighty-eight.

SEC. 2. *And be it further enacted*, That Marguerite Baron, widow as aforesaid, be, and she hereby is, confirmed in her title to another tract of land of twenty arpens in front on the Mississippi, and five arpens in depth, which tract of land lies immediately adjoining the tract in the first section of this act named, and it being the same tract of land which was granted by the Spanish Government to Pierre or Lasty Ledoux, son of the said Marguerite Baron, on the eighteenth day of December, one thousand seven hundred and eighty-eight: *Provided*, That this act shall operate only as a relinquishment on the part of the United States, and shall not affect the rights of any third person.

No. 813.—AN ACT in reference to pre-emption rights in the southeastern district of Louisiana.June 28, 1834.
Vol. 4, p. 708.

Be it enacted, &c., That the pre-emption rights granted by the register and receiver of the land office at New Orleans, to certain individuals claiming the same, in the southeastern land district of Louisiana, under the act of Congress approved fifth April, eighteen hundred and thirty-two, entitled "An act supplementary to the several laws for the sale of public lands," and the act approved fifteenth June, eighteen hundred and thirty-two, entitled "An act to authorize the inhabitants of the State of Louisiana to enter the back-lands," be, and they are hereby, confirmed; and the register of the land office is hereby directed to issue patent certificates accordingly.

Register of land office to issue patents in conformity with acts of April 5, 1832, and June 15, 1832.

SEC. 2. *And be it further enacted,* That the resurvey made under the supervision of the surveyor-general of Louisiana, of certain lands on the bayou St. Vincent, in sections designated as numbers one hundred and ten and one hundred and forty-three, in township thirteen of range fourteen east, situate in the southeastern district of Louisiana, and which resurvey purports to include the improvements of the actual settlers within its limits, claiming the rights of pre-emption thereto under the act of fifth April, eighteen hundred and thirty-two, aforesaid, be, and the same is hereby, confirmed; and payments may be made and patents issued in accordance therewith. (a)

Resurvey on bayou St. Vincent confirmed.

(a) See Nos. 704, 708, 710, 720, 722, 729, 730, 731, 732, 761, 768, 786, 818, 849, 858, 860, 897, 899, 919, 920, 928, 963.

No. 814.—AN ACT for the relief of Antoine Cruzat.June 30, 1834.
Vol. 6, p. 584.

Be it enacted, &c., That there shall be, and hereby is confirmed unto Antoine Cruzat, as a donation, three arpens, nineteen perches, and sixty-nine feet in superficies, agreeably to the plat of survey made by Vincente Sebastian Pintado, on the nineteenth July, one thousand eight hundred and five; the same situated in the parish of East Baton Rouge, east of the fort about three hundred and twenty-five toises, in the State of Louisiana; and that a patent shall issue, and be granted by the Commissioner of the General Land Office of the United States, on the application of the said Antoine Cruzat, for the above-described tract of land: *Provided,* That the said Antoine Cruzat has not, and shall not claim any other lands in right of settlement and cultivation; and that this act shall operate only as a relinquishment, on the part of the United States, of all their right and claim to the said land, and shall not interfere with, or affect, the right or claim of other persons.

Donation of land.

Proviso

No. 815.—AN ACT granting to General Philemon Thomas, of Louisiana, a tract of land in consideration of the military services rendered by him in taking possession of that portion of West Florida included in the district of Baton Rouge.June 30, 1834.
Vol. 6, p. 592.

Be it enacted, &c., That Major-General Philemon Thomas be, and he is hereby, authorized to enter, without payment, at the proper land office, on any of the public lands within the State of Louisiana, the quantity of twelve hundred and eighty acres of land: *Provided,* That the same shall be located in tracts of not less than six hundred and forty acres, according to legal subdivisions.

Authorized to enter land in Louisiana.

Proviso

No. 816.—AN ACT for the relief of the legal representatives of Laurence Milligan, deceased.June 30, 1834.
Vol. 6, p. 599.

Be it enacted, &c., That the legal representatives of Laurence Milligan, deceased, be, and they are hereby, authorized to locate, within twelve months after the passing of this act, under the direction of the register and receiver of the western district of Louisiana, on any unlocated lands in said district, a tract not exceeding eight hundred arpens; which said tract shall be granted to the representatives of the said Laurence Milligan in lieu of an equal quantity confirmed to him by a board of commissioners, under a certificate marked B, number nine hundred and seven, and subsequently sold by the United States; and that the proper officers of the Government be authorized and directed to issue a patent to the said representatives accordingly.

Authorized to locate land.

Feb. 6, 1835.
Vol. 4, p. 749.

No. 817.—AN ACT for the final adjustment of claims to lands in the State of Louisiana.

Valid claims to be presented to register and receiver within two years.

Be it enacted, &c., That any person or persons having claims to lands in the State of Louisiana, whose claims have been recognised by former laws as valid, but which have not heretofore been confirmed to the grantees or their legal representatives, be, and they are hereby, authorized to present their claims to the register and receiver of the land office in which the land may lie, within two years from the passage of this act, together with the written and other testimony in support of the same, and it shall be the duty of the register and receiver to record in a book to be kept by them for that purpose, the notice of every claim so preferred, together with the evidence in support of the same; and the said register and receiver are hereby further authorized to receive any evidence for and on behalf of other individuals who may resist the confirmation of any such claim either on their own behalf, or that of the United States, and cause to be taken any evidence which shall be deemed necessary and proper by them to have such claim properly and justly settled, and to have the same likewise recorded in said book, for which service, in recording the applicant's title-papers and evidence, they shall be entitled to receive from said applicant at the rate of twenty-five cents for every hundred words.

Report of the claims, with testimony and opinions on validity of each, to be made, and laid before Congress.

SEC. 2. *And be it further enacted,* That it shall be the duty of the registers and receivers of the land offices, at or before the beginning of each session of Congress thereafter, to make to the Secretary of the Treasury a report of the claims which may have been presented before them, together with the testimony, accompanied by their opinions of the validity of each claim, and such other information respecting them as may be in their possession, which said report shall, by the Secretary of the Treasury, be laid before Congress as soon as practicable, with the opinion of the Commissioner of the General Land Office, touching the validity of the respective claims. (a)

(a) See Nos. 699, 701, 703, 704, 705, 708, 710, 712, 716, 718, 721, 722, 723, 724, 728, 731, 732, 737, 738, 739, 740, 743, 746, 749, 752, 753, 777, 790, 819, 826, 852, 863, 864, 873, 889, 899, 904, 911, 946, 956, 957, 961, 967.

Feb. 24, 1835.
Vol. 4, p. 753.

No. 818.—AN ACT supplementary to an act, entitled "An act to authorize the inhabitants of the State of Louisiana to enter the back-lands."

Time for entering lands on rivers, &c., extended one year from June 15.

Be it enacted, &c., That the time given by the act to which this is a supplement, to the owners of lands bordering on any of the rivers, creeks, bayous or other water-courses of the State of Louisiana, to become the purchasers by preference, of the back-tracts adjacent to those owned by them, be, and the same is hereby, extended one year from the fifteenth of June next. (a)

(a) See Nos. 704, 708, 710, 720, 722, 729, 730, 731, 732, 761, 768, 786, 813, 849, 858, 860, 897, 899, 919, 920, 928, 963.

March 3, 1835.
Vol. 4, p. 779.

No. 819.—AN ACT supplementary to the act of the fourth of July, eighteen hundred and thirty-two, entitled "An act for the final adjustment of the claims to lands in the southeastern district of Louisiana."

Claims confirmed.

Be it enacted, &c., That the claims for lands within the southeastern district of the State of Louisiana, described by the register and receiver of the said district, in their report to the Secretary of the Treasury, bearing date the fifth of September, eighteen hundred and thirty-three, at New Orleans, be, and the same are hereby confirmed against any claim on the part of the United States, except the different applications hereinafter specified, to wit: in class A of said report, the following numbers: three, ten, twenty-five, thirty-two, thirty-eight, and forty-six.

In class B, of said report, the following numbers, twenty-six, twenty-eight, twenty-nine, nineteen, twenty-three, forty-seven, thirteen, thirty-five, forty-two, and forty-three.

In class C, of said report, the following numbers: six, one hundred and eighty-six, two hundred and twenty, two hundred and twenty-one, and eighty-six, eighty-four and eighty-five, forty, one hundred and seventy-six, one hundred and seventy-seven, one hundred and seventy-eight, one hundred and seventy-nine, one hundred and ninety-one, one hundred and ninety-eight.

Transcript of

SEC. 2. *And be it further enacted,* That it shall be the duty of the regis-

ter and receiver, in said district, to make out a full and perfect transcript of all the title-papers and of the evidence in their office, in relation to the numbers excepted in the first section of this act, and report the same to the Secretary of the Treasury, with such other and further information in relation to said claims, as may be directed by the Secretary of the Treasury, for the final and just settlement of said claims on or before the commencement of the next session of Congress; and he is hereby required and directed to report the same to Congress as early as practicable thereafter, with his opinion touching the validity of said claims. (a)

(a) See Nos. 699, 701, 703, 704, 705, 708, 710, 712, 716, 718, 721, 722, 723, 724, 728, 731, 732, 737, 738, 739, 740, 745, 746, 749, 752, 753, 777, 790, 817, 826, 832, 863, 864, 873, 889, 899, 904, 911, 946, 956, 957, 961, 967.

No. 820.—AN ACT for the relief of Lemuel Tanner, assignee of Pierre Dufresne.

March 3, 1835.
Vol. 6, p. 613.

Be it enacted, &c., That Lemuel Tanner, assignee of Pierre Dufresne, be, and he is hereby, authorized to locate within twelve months after the passage of this act, under the direction of the surveyor-general of Louisiana, on any unlocated lands in said State, a tract not exceeding six hundred and forty acres of land; which said tract shall be granted to the said Lemuel Tanner, in lieu of an equal quantity confirmed to him by the register and receiver, under a certificate number five hundred and eighty-eight; and that the proper officers of the Government be authorized and directed to issue a patent accordingly.

Authorized to
locate a tract of
land.

No. 821.—AN ACT to revive and extend the provisions of an act passed on the twenty-fourth May, eighteen hundred and twenty-four, entitled "An act for the relief of the representatives of John Donelson, Stephen Herd, and others."

June 23, 1836.
Vol. 6, p. 643.

[Act of March 24, 1824, authorizing entry of 5,000 acres of land, extended; land may be entered in Louisiana, &c. See MISSISSIPPI, No. 1364.]

No. 822.—AN ACT to grant to the New Orleans and Nashville Railroad Company the right of way through the public lands of the United States.

July 2, 1836.
Vol. 5, p. 65.

Be it enacted, &c., That there be, and is hereby granted to the New Orleans and Nashville Railroad Company incorporated by the several States through which the said road is intended to pass, the right of way through such portion of the public lands as remain unsold, *Provided*, That the portion of the public lands occupied therefor, shall not exceed eighty feet in breadth; that the route of the said road shall be surveyed and designated through the public lands, by plain marks, or monuments, and copies of the notes of survey, with a plat or plats thereof, and a description of the said landmarks or monuments and their connection with the prior official surveys of the adjacent lands, be transmitted to the General Land Office in Washington, within sixty days after the said surveys and plats are completed, and that they be completed within two years from the date of this act.

Right of way
granted.

Proviso.

SEC. 2. *And be it further enacted*, That for such depots, watering-places and workshops as may be essential to the convenient use of the said road; there shall be also granted to the said company, such portions of the public land, as they may, under like restrictions and conditions, select, on either side of the said road: *Provided*, That not more than five acres, to be laid off in a square form, shall be selected for such use or purpose, at any one place; *Provided, also*, That not more than one such square shall be granted for every fifteen miles of the said road lying within the public lands; *And provided, moreover*, That such selections shall be approved by the Secretary of the Treasury for the time being.

Land for work-
shops, &c.

Proviso.

Proviso.

Proviso.

SEC. 3. *And be it further enacted*, That so long as the public lands in the vicinity of the said road shall remain unsold, the said company shall have power to take therefrom, such materials of earth, stone, or wood, as may be necessary for the construction of the said road, *Provided*, That the grants herein contained, as well of the use of the public lands, as of the materials for the construction of the said road, shall cease and determine, unless the road be begun within the period of two

Materials may
be taken.

Proviso.

Proviso.

years from the date of this act, and completed within eight years thereafter. *And provided, moreover,* That if the said road shall, at any time after its completion, be discontinued or abandoned by the said company, the grants, hereby made, shall cease and determine. (a)

(a) See Nos. 822, 829, 920, 924, 962, 964, 966.

July 2, 1836.
Vol. 6, p. 668.

No. 823.—AN ACT for the relief of Antonio Segura, and others.

Authorized to locate a tract of land.

Proviso.

Be it enacted, &c., That each of the following persons be, and they are hereby, authorized to locate a quarter-section of land, out of any unappropriated lands, subject to private entry, within the southwestern district of Louisiana, south of Red River, to wit: The widow of Francisco Segura, Antonio Romero, Louis Segura, Eloy Segura, Rafael Segura, St. Jago Segura, Nicholas Goudran, the widow Viator, and Matildo Segura, wife of Juan Miguel: *Provided,* That in making said location they shall conform to the lines of the public surveys. And it shall be the duty of the Commissioner of the General Land Office to issue to each of the above-named persons, or their legal representatives, a patent for said lands, as soon as they shall have located the same.

July 2, 1836.
Vol. 6, p. 668.

No. 824.—AN ACT for the relief of the heirs, or their legal representatives, of William Conway, deceased.

Authorized to locate two tracts of land.

Proviso.

Be it enacted, &c., That the heirs of William Conway, deceased, or their legal representatives, be, and they are hereby, authorized to locate, within twelve months from the passage of this act, on any unappropriated public lands in the State of Louisiana, one thousand and seventy acres thereof, in a body in contiguous tracts according to the legal subdivisions of the public surveys; and that they are further authorized to locate, on any of the public lands in said State subject to entry, the quantity of two thousand seven hundred and eighty-nine acres, under the same limitations; and that the proper officers of the Government of the United States be authorized and directed to issue a patent or patents accordingly: *Provided, however,* That the said heirs of William Conway, or their legal representatives, within one year after the passage of this act, and previous to making the locations authorized by it, shall execute a release, in favor of the United States, of the land originally included in three grants from the Government of Spain, and confirmed by the commissioners for investigating land titles in the district west of Pearl River, by the reports numbered forty-eight, forty-nine, and fifty. (a)

(a) See Nos. 941, 956.

July 2, 1836.
Vol. 6, p. 681.

No. 825.—AN ACT for the relief of James Bradford, of Louisiana.

Confirmed in his right to a tract of land.

Proviso.

Be it enacted, &c., That James Bradford, of Louisiana, shall be, and he hereby is, confirmed in his right to four hundred and twenty-seven arpens of land, situated in the parish of West Feliciana, in the State of Louisiana, fronting on the Mississippi River, three-quarters of a mile below the mouth of Bayou Sarah, bounded on the upper side by lands granted to William Williams; below by those of Augustin Allain; and back by those of the aforesaid Williams and others; and the register of the land office in the proper district, on a presentation of the survey and Spanish patent for the said tract, shall cause an entry thereof to be made, and grant him a certificate therefor, whereupon a patent shall issue for the same in due form: *Provided, however,* That this act shall operate only as a relinquishment, on the part of the United States, of their right and claim to the said tract of land, but shall not interfere with the claim or claims of other persons.

July 4, 1836.
Vol. 6, p. 682.

No. 826.—AN ACT confirming claims to land in the State of Louisiana.

Decisions of the register confirmed, with certain exceptions.

Be it enacted, &c., That the decisions in favor of land claimants made by the register and receiver of the land office in New Orleans, under date the first of December, eighteen hundred and thirty-five, by virtue of an act entitled "An act for the final adjustment of claims to land in

the State of Louisiana," which have been laid before Congress at the present session by the Secretary of the Treasury, be, and the same are hereby, confirmed, with the exception of the claims of Narcisse Carmouche, Julie Alexandrie, and Martin Major, Nicholas Bara, and Francis Menard, saving and reserving, however, to all adverse claimants, the right to assert the validity of their claims in a court of justice. (a)

(a) See Nos. 699, 701, 703, 704, 705, 708, 710, 712, 716, 718, 721, 722, 723, 724, 728, 731, 732, 737, 738, 739, 740, 745, 746, 749, 752, 753, 777, 790, 817, 819, 852, 863, 864, 873, 889, 899, 904, 911, 946, 956, 957, 961, 967.

No. 827.—AN ACT confirming the claim of the heirs of Michael Dragon to certain tracts of land therein mentioned. March 2, 1837.
Vol. 6, p. 689.

Be it enacted, &c., That the claims of Andria Demetry, or the heirs of Michael Dragon, deceased, to three several tracts of land situate on the bay of Saint Louis, in the State of Louisiana, the titles to which were derived from the Spanish Government of that country, and containing together five thousand nine hundred and sixty-eight arpens, be, and the same hereby are, confirmed, in conformity with the report made by the register and receiver of the land district of St. Stephen's, acting as commissioners under the third section of the act approved the second March, eighteen hundred and twenty-nine, entitled "An act confirming the report of the register and receiver of the land office for the district of St. Stephen's, in the State of Alabama, and for other purposes," dated the sixteenth of February, eighteen hundred and thirty-four: *Provided,* This confirmation does not interfere with any title or right, if such exist, to any part of the said land, acquired by any individual or individuals under the laws of the United States. Land claim confirmed.

Proviso.

No. 828.—AN ACT to grant the Atchafalaya Railroad and Banking Company the right of way through the public lands of the United States. March 3, 1837.
Vol. 5, p. 196.

Be it enacted, &c., That there be, and is hereby granted to the Atchafalaya Railroad and Banking Company, a corporation created by the legislature of the State of Louisiana, the right of way through such portions of the public land as the road or roads of said company is authorized by its charter to construct, shall pass: *Provided,* That the portion of the public land occupied thereby shall not exceed eighty feet in width. The right of way granted through such portions as the road shall pass.
Proviso.

SEC. 2. *And be it further enacted,* That the route of said road and its branches, shall, at the expense of the aforesaid company, be surveyed and designated through the public lands by plain marks or monuments, and copies of the field-notes, with plat or plats of the lands, and a description of the said landmarks or monuments, and their connection with the previous official surveys of the adjacent lands, shall be returned to the office of the surveyor-general of the State of Louisiana, and to the General Land Office in Washington, within sixty days after the said surveys or plats are completed, and which shall be within one year from the date of the passage of this act. The route of said road to be surveyed and designated through the public lands, &c.

SEC. 3. *And be it further enacted,* That for such depots, watering-places, and workshops, as may be essential to the convenient use of said road, there is also granted to said company such portion of the public land as they may under like restrictions and conditions, select, on either or each side of said road: *Provided,* That not more than four acres, to be laid off in a square form, shall be selected for such use or purpose at any one place, and not more than one such square shall be granted for every ten miles of the said road or its branches, lying within the public lands; which selections shall be surveyed and returned in the manner aforesaid, and approved by the Secretary of the Treasury for the time being. Portions of the public land granted for depots, &c.
Proviso.

SEC. 4. *And be it further enacted,* That so long as the public land in the vicinity of said road or its branches shall remain unsold, the said company shall have permission to take therefrom such materials of earth, stone, or wood, as may be necessary for the construction of said road. Permission to use earth, stone, &c., granted.

SEC. 5. *And be it further enacted,* That the grants herein contained, as well the use of the public lands, as of the materials for the construction of said road and its branches, shall cease and determine and be of no effect, unless the said road be commenced and completed within the periods fixed by the charter of the company; and if the said road shall The grants contained herein shall cease, &c., unless said road be commenced and completed

within the pe-
riods fixed by the
charter, &c.

be, at any time after its completion, or during the time of its construc-
tion, discontinued or abandoned by said company, the grants and privi-
leges hereby made and allowed shall cease and determine and be of no
effect. (a)

(a) See Nos. 822, 829, 920, 924, 962, 964, 966.

March 3, 1837.
Vol. 5, p. 197.

No. 829.—AN ACT to authorize the New Orleans and Carrollton Railroad Company
to construct a railroad from Carrollton to the town of Bayou Sara, in the State of
Louisiana.

Right of way
granted through
portions of the
public lands re-
maining unsold.
Proviso.

Be it enacted, &c., That there be, and is hereby, granted to the New
Orleans and Carrollton Railroad Company, incorporated by the legisla-
ture of Louisiana, the right of way through such portion of the public
lands remaining unsold, for the extension of their railroad from Car-
rollton to the town of Bayou Sara, in the said State: *Provided*, That the
portion of the public lands occupied therefor, shall not exceed eighty
feet in breadth; that the route of the said road shall be designated,
and marked on the ground by plain landmarks, within the period of
eighteen months from the passage of this act, and a copy of the notes
of survey and plat thereof with a description of the said landmarks, be
transmitted to the General Land Office, in Washington, within the pe-
riod aforesaid.

Earth, stone,
&c., may be used
while said lands
remain unsold.
Proviso.

SEC. 2. *And be it further enacted*, That so long as the public lands in
the vicinity of the said road shall remain unsold, the said company
shall have power to take therefrom such materials of earth, stone, and
wood, as may be necessary for the construction of the said road: *Pro-
vided*, That the grants herein contained, as well of the use of the public
lands as of the materials for the said road, shall cease and determine,
unless the same shall be begun within the period of two years from the
date of this act, and completed within a period of six years. (a)

(a) See Nos. 822, 828, 920, 924, 962, 964, 966.

March 28, 1838.
Vol. 6, p. 709.

No. 830.—AN ACT for the relief of the heirs of Joseph Nibert, deceased.

Authorized to
patent certain
land.

Be it enacted, &c., That certain lots of land numbered nineteen,
twenty, and twenty-one, in township number twenty, range number
thirteen east, containing four hundred and eighty-eight acres and sixty-
hundredths, in the district north of Red River, in the State of Louisi-
ana, which has been heretofore sold, and paid for by Job Bass, deceased,
be, and the same is hereby, authorized to be patented to the heirs and
legal representatives of Joseph Nibert, deceased, assignee of said Job
Bass, in the same manner as other lands granted to purchasers from
the United States, upon condition that the Secretary of the Treasury
shall first cause to be surveyed in said district, for the use and benefit
of schools in said township, lands equal in value to the above described
tracts of land sold to the said Job Bass, deceased.

July 7, 1838.
Vol. 5, p. 287.

No. 831.—AN ACT to establish additional land offices in the States of Louisiana
and Arkansas.

A land office to
be established in
Natchitoches.

Be it enacted, &c., That for the disposal of that portion of the lands
belonging to the United States in the State of Louisiana, within the
following boundaries, to wit: beginning at the point on the Sabine
River, where the base line or thirty-first degree of north latitude strikes
the same; thence up said river to the point where the boundary line
between the United States of Mexico, and the aforesaid State of Louisi-
ana shall leave the same; thence with said boundary, when the same
shall be finally fixed, to the northern boundary of the State; thence
east with said northern boundary to the dividing line between ranges
three and four west; thence with said dividing line south to the base
line or thirty-first degree of north latitude; thence with the said line
to the beginning: a land office shall be established and kept in the
town of Natchitoches, to be known as the office for the northwestern
land district in the State of Louisiana.

Register and
receiver to be ap-

SEC. 2. *And be it further enacted*, That a register and receiver of pub-
lic moneys shall be appointed for said land district in the manner re-

quired by law, who shall reside in the town of Nachitoches; they shall give bond and security in the same manner and in the same sums, as other registers and receivers in said State; and their salaries, emoluments, duties and authority shall in every respect be the same, in relation to the lands in the aforesaid district as are now given or granted to the registers and receivers in the other land offices in said State.

SEC. 3. *And be it further enacted*, That during the continuance of the act entitled "An act to grant pre-emption rights to settlers on the public lands," approved June twenty-second, in the year eighteen hundred and thirty-eight, the register and receiver of the aforesaid land district shall attend at least once in two months if necessary at Shreveport in said district for the purpose of receiving proof of and acting on such claims for pre-emption rights, as may be presented to them under said act, and remain at said place as long as may be necessary not exceeding two weeks at a time, and said register and receiver shall give public notice for at least two weeks of the time they will attend at said place.

SEC. 4. *And be it further enacted*, That the Commissioner of the General Land Office is hereby invested with the authority to direct in what manner and on what conditions the said land office shall be supplied with plats and copies of plats and surveys from the offices now established at Monroe and Opelousas, and the office of the surveyor-general of Louisiana. (a)

(a) See Nos. 701, 704, 708, 710, 711, 718, 731, 737, 740, 879, 965.

No. 832.—AN ACT for the relief of James L. Stokes, and for other purposes.

March 3, 1839.
Vol. 6, p. 764.

Be it enacted, &c., That James L. Stokes is hereby permitted to complete his entry and purchase a quarter-section of land, situate in the land district north of Red River, in the State of Louisiana, it being the northeast quarter-section of section number sixteen, township eleven, range eight east; by virtue of the act of Congress of the twelfth of April, one thousand eight hundred and fourteen, entitled "An act for the final adjustment of land titles in the State of Louisiana and Territory of Missouri;" any other law to the contrary notwithstanding.

SEC. 2. *And be it further enacted*, That it shall be the duty of the register of the land office and receiver of public moneys in the district aforesaid, under the direction of the Secretary of the Treasury, to select and reserve, for the use of schools in the aforesaid township, other lands, of the same extent and quality within the same or the next adjoining township, in lieu of the quarter-section which the said James L. Stokes is hereby permitted to purchase, and which embraces his improvements: *Provided*, That the said Stokes shall first obtain and file with the register of the land office of the district the assent thereto of the commissioners of schools of the parish in which the lands lie, and of a majority of the free white male inhabitants of the township over twenty-one years of age. (a)

(a) See Nos. 418, 704, 708, 710, 834, 835, 837, 841, 843, 853, 859, 883, 884, 891, 894, 895, 903.

No. 833.—AN ACT for the relief of Rosaline Prudhomme.

March 3, 1839.
Vol. 6, p. 765.

Be it enacted, &c., That Rosaline Prudhomme, widow of the late Jean Baptiste Prudhomme, of the county of Natchitoches, in the State of Louisiana, is hereby confirmed in her claim to a tract of land situated in the aforesaid county, on or near the bayou La Deesa, containing six hundred and forty superficial acres, being section six, in township number twelve, north of the thirty-first degree of north latitude, and range number eleven, west of the basis meridian; on which said Rosaline resides: *Provided*, This confirmation shall only operate as a relinquishment to said Rosaline Prudhomme of such rights as the United States may have to said tract of land, and shall not in any manner affect the rights of third persons to the same; nor shall this confirmation give any right or claim upon the United States for indemnification, in case the whole or any part of said land shall be lost.

March 3, 1839.
Vol. 6, p. 766.

No. 834.—AN ACT for the relief of the heirs of William Graham, deceased.

Land patent to
be issued.

Be it enacted, &c. That the [Secretary of the] Treasury be, and he is hereby, authorized to cause a patent to be issued to the heirs and legal representatives of William Graham, deceased, for a certain lot or quarter-section of land, situated on Lake Providence, in the State of Louisiana, being lot number sixteen, in township twenty-one, of range twelve east; the said William Graham, deceased, having heretofore paid to the receiver of public moneys for the district of lands north of Red River, the full amount for the above-described quarter-section of land, the administrators of the public schools and the citizens of the township having given their assent thereto.

Other land to
be selected for
use of schools.

SEC. 2. *And be it further enacted,* That the Secretary of the Treasury cause to be selected in the same district a section of land for the use of schools in lieu of section numbered sixteen, in the first section of this act above mentioned. (a)

(a) See Nos. 418, 704, 708, 710, 832, 835, 837, 841, 843, 853, 859, 883, 884, 891, 894, 895, 903.

March 3, 1839.
Vol. 6, p. 767.

No. 835.—AN ACT for the relief of Paul Poissot.

A certificate for
land to be grant-
ed.

Be it enacted, &c., That the register of the land office at Natchitoches, in the State of Louisiana, grant to Paul Poissot a certificate for a quarter-section of land, according to the proper and legal subdivisions, to embrace the settlement made by François Masseppe, on the sixteenth section, in the parish of Natchitoches, situated on the southwest bank of Red River, about twenty-three miles above the town of Natchitoches, and bounded above by the lands occupied by Jean Eloi Rachal, and below by the lands occupied by Baptist Landreaux, upon his paying to the register of the land office at Natchitoches the sum of one dollar and twenty-five cents per acre, and producing the certificate therefor from the receiver of public moneys at Opelousas.

Other land to
be selected for
use of schools.

SEC. 2. *And be it further enacted,* That the Secretary of the Treasury cause to be selected one quarter-section of land, of one hundred and sixty acres, in lieu of the quarter-section in the first section of this act named, out of any of the public lands, to be located in the land district in which the first-named quarter-section is situated, for the use of schools in said township: *Provided,* The school commissioners for the parish in which said land is situated, and a majority of the free white male inhabitants of the township, over twenty-one years of age, shall consent to such change. (a)

Proviso.

(a) See Nos. 418, 704, 708, 710, 832, 834, 837, 841, 843, 853, 859, 883, 884, 891, 894, 895, 903.

March 3, 1839.
Vol. 6, p. 768.

No. 836.—AN ACT to confirm the claim of Charles Morgan, in right of Simon Porche, to a tract of land.

Land claim con-
firmed.

Be it enacted, &c., That the claim of Charles Morgan, as the representative of Simon Porche, to a tract of land on the Bayou Grosse Tete, containing, according to a survey thereof, made in August, eighteen hundred and six, nine hundred and sixty-nine acres and seventy-four hundredths of an acre, under an order of survey in favor of said Porche, given by Governor Miro, on the seventeenth November, seventeen hundred and eighty-seven, be, and the same is hereby, confirmed; and, upon the presentation of a duly certified plat of the survey to the Commissioner of the General Land Office, a patent shall be issued on the same to the said Morgan or his legal representatives.

March 3, 1839.
Vol. 6, p. 776.

No. 837.—AN ACT for the relief of Thomas M. Burland.

Land purchase
confirmed.

Be it enacted, &c., That Thomas M. Burland be, and is hereby, confirmed in his purchase of fractional lot number one, of section twenty-eight, in township number seventeen north, range thirteen east, entered and paid for by him at the land office at Monroe, in the district for the sale of lands north of Red River, in Louisiana, containing one hundred and forty-six acres and fifty-eight hundredths of an acre, and that a patent be issued to him for the same.

Other land to

SEC. 2. *And be it further enacted,* That the register of the land office

at Monroe, in the district aforesaid, shall, under the direction of the Secretary of the Treasury, designate in some other place, and reserve for the use of schools in the aforesaid township, a fractional section, or quarter-section, or lot, as nearly equal as may be in quantity and value to that hereby confirmed to said Burland, and notify the school administrators of the parish in which said township may be, of such designation and reservation as soon as it shall be made. (a)

(a) See Nos. 418, 704, 708, 710, 832, 834, 835, 841, 843, 853, 859, 883, 894, 891, 894, 895, 903.

No. 838.—AN ACT for the relief of George Rowe.

March 3, 1839.
Vol. 6, p. 778.

Be it enacted, &c., That George Rowe, a resident of the parish of Ouachita, in the State of Louisiana, is hereby authorized to locate, within twelve months after the passage of this act, under the direction of the surveyor-general of Louisiana, on any unlocated lands in the district for the sale of lands south of Red River, in the aforesaid State, a tract not exceeding four hundred superficial arpens; which said tract and privilege is granted to the said George Rowe, in lieu of an equal quantity confirmed to him by the register and receiver in the aforesaid land district, under certificate number three hundred and eighty-two; and the proper officers of the Government are hereby authorized and required to issue a patent for said quantity of land as soon after the location aforesaid and return thereof as it can be done: *Provided*, That the said George Rowe, or his legal assignee or representative, shall, at the time of making such location, execute a deed in due form of law, relinquishing and conveying to the United States all the right or title which he the said George Rowe, his heirs, assigns, or other legal representatives, has or ever had to the tract of land on the Bayou Boeuff, in lieu of which this right of locating an equal quantity elsewhere is granted: *And also provided*, That said George Rowe, in making the aforesaid location, shall conform to the legal subdivisions in surveying the public lands, and be limited to land of equal quality with that in lieu of which this grant is authorized. (a)

Authorized to
locate a tract of
land.

Proviso.

Proviso.

(a) See No. 937.

No. 839.—AN ACT for the relief of Polly Lemon.

March 3, 1839.
Vol. 6, p. 780.

Be it enacted, &c., That Polly Lemon, or her legal representatives or assigns, are hereby authorized to locate, on any unappropriated public land in the northwestern district for the sale of lands in the State of Louisiana, six hundred and forty acres, in lieu of the same quantity of land taken from her by the United States for public purposes, near Fort Jesup, in the State of Louisiana; and the register of the land office at Natchitoches is authorized and required to have said location made, and issue a certificate of such location, so that a patent may issue for the same: *Provided*, Said location shall be made within twelve months from the passage of this act, conforming to the legal surveys.

Authorized to
locate certain
land, in lieu of
land taken by
United States.

Proviso.

SEC. 2. *And be it further enacted*, That, at the time of making such location or entry, the said Polly Lemon, her legal representatives or assigns, shall produce to the aforesaid register, and deposit in his office, a deed of release, conveying to the United States all the right, title, interest, fee, or claim (unencumbered,) that she or they may claim to have in and to the tract of land claimed by them, near Fort Jesup, in lieu of which the land granted by this act is given.

Deed of release
to United States
to be produced.

No. 840.—AN ACT for the relief of the legal representatives of John Dawson, deceased.

March 3, 1839.
Vol. 6, p. 783.

Be it enacted, &c., That the legal representatives of John Dawson, deceased, or their assignees, are hereby authorized to locate, on any public land in the northwestern district for the sale of lands in the State of Louisiana, the quantity of six hundred and forty acres, in lieu of the same quantity which has been taken from them, and appropriated to public purposes; which location shall be made in the office of the register of the said district at Natchitoches, who shall issue a proper certificate of said entry and location to the said legal representatives,

Authorized to
locate a tract of
land, in lieu of
a tract taken from
them.

Proviso.

A deed of release to United States to be produced.

on the presentment of which to the Commissioner of the General Land Office, a patent for the same shall issue for said land, in the manner directed by law: *Provided*, That the said entry or location shall be made within twelve months after the passage of this act, and shall conform to the legal surveys.

SEC. 2. *And be it further enacted*, That, at the time of making the aforesaid entry or location, the said legal representatives of John Dawson, deceased, or their legal assignee or assignees, shall produce to the aforesaid register of the land office at Natchitoches and deposit in his office a deed of release and quit-claim to the United States, made in due form of law, of all their right, title, and claim to the same quantity of land, near Fort Jesup, in Louisiana, in lieu of which the land now granted is given.

March 3, 1839.
Vol. 6, p. 783.

No. 841.—AN ACT for the relief of J. Eloi Rachal.

Land certificate to be granted to him.

Be it enacted, &c., That the register of the land office at Natchitoches, in the State of Louisiana, grant to J. Eloi Rachal a certificate for the — quarter of section number sixteen, of township number eleven, of range number nine, situate on the right or southwest bank of Red River, about twenty-three miles above Natchitoches, the same being land to which he claims the right of pre-emption, upon his producing the receiver's receipt for the sum of one dollar and twenty-five cents per acre for each acre in said quarter-section contained.

Other land to be selected for use of schools.

Proviso.

SEC. 2. *And be it further enacted*, That the Secretary of the Treasury cause to be selected one quarter-section of land, in the same district, for the use of schools, in lieu of the quarter-section named in the first section of this bill: *Provided*, That the school commissioners for the parish in which said land is situated, and a majority of the free white male inhabitants of the township, over twenty-one years of age, shall consent to such change. (a)

(a) See Nos. 418, 704, 708, 710, 832, 834, 835, 837, 843, 853, 859, 883, 884, 891, 894, 895, 903.

March 3, 1839.
Vol. 6, p. 784.

No. 842.—AN ACT for the relief of Henry Stoker, William G. Belknap, and Benjamin Walker.

Authorized to locate a tract of land.

Be it enacted, &c., That Henry Stoker, or his legal representatives or assigns, and William G. Belknap and Benjamin Walker, or their legal representatives or assigns, of the parish of Natchitoches, in the State of Louisiana, are hereby authorized to locate, on any unappropriated public land in the northwestern district for the sale of lands in the State of Louisiana, as follows: Henry Stoker, or his legal representatives or assigns, six hundred and forty acres, and Belknap and Walker, or their legal representatives or assigns, six hundred and forty acres, in lieu of the same quantities of land taken by the United States for public purposes, near Fort Jesup, in the State of Louisiana: and the register of the land office at Natchitoches is authorized and required to have said locations made, and issue certificates of such locations, so that patents may issue for the same: *Provided*, Said locations shall be made within twelve months from the passage of this act, conforming to the legal surveys.

Proviso.

Deeds of conveyance to United States to be deposited, &c.

SEC. 2. *And be it further enacted*, That at the time of making such locations or entries, the said Henry Stoker, and the said Belknap and Walker, or their legal representatives or assigns, shall produce to the aforesaid register, and deposit in his office, their several deeds conveying to the United States an unencumbered title that they or any of them may claim to have in and to any tract or tracts of land claimed by them, or either of them, near Fort Jesup, in lieu of which the land granted by this act is given.

March 3, 1839.
Vol. 6, p. 791.

No. 843.—AN ACT for the relief of Robert M. Roberts or his legal assignees.

Authorized to purchase certain land at \$1.25 per acre.

Be it enacted, &c., That Robert M. Roberts, his legal representatives or assignees, are hereby authorized to purchase of the register and receiver of the land office at Monroe, in the State of Louisiana, in the district for the sale of lands north of Red River, lot number sixteen, in township number twenty-two north, range number twelve east, in said

district, containing one hundred and fifty-six and twenty-seven hundredths acres, at the rate of one dollar and twenty-five cents per acre; and upon the production of the receipt of the aforesaid receiver for the money, together with the assent in writing of the school commissioners of the parish of Carroll, in said State, and of a majority of the white male inhabitants of the township over twenty-one years of age to the making of said purchase and filing the same in the office of the register, that officer shall issue a certificate for the same; upon the production of which at the General Land Office, the said Robert M. Roberts, or his legal assignees, shall be entitled to receive a patent for said land in the same manner as if purchased under the pre-emption laws.

SEC. 2. *And be it further enacted*, That the aforesaid register and receiver, under the direction of the Commissioner of the General Land Office, shall select and set apart an equal quantity of land of equal value, in the same township, if the same can be found, if not, in some other place in said land district, for the use of schools in the aforesaid township. (a)

(a) See Nos. 418, 704, 708, 710, 832, 834, 835, 837, 841, 853, 859, 883, 884, 891, 894, 895, 903.

No. 844.—AN ACT for the relief of the heirs and legal representatives of John Grimball, senior, deceased.

May 2, 1840.
Vol. 6, p. 797.

Be it enacted, &c., That the heirs and legal representatives of John Grimball, senior, deceased, be, and they are hereby, authorized to locate two hundred and twenty-three and one-fourth acres, or one and a half quarter-sections of land, not exceeding that quantity in the Opelousas land district, in the State of Louisiana, upon any unreserved and unappropriated land in said district.

Authorized to
locate land.

No. 845.—AN ACT for the relief of John W. Monette.

July 4, 1840.
Vol. 6, p. 802.

Be it enacted, &c., That the President of the United States cause patents to be issued to John Wesley Monette, for lots numbered one, three, and four, in townships sixteen, of range twelve, east, in the district north of Red River, in the State of Louisiana, said lands having been duly entered and paid for by said John Wesley Monette.

Land patent to
be issued.

No. 846.—AN ACT for the relief of Pierre Molaison, the widow of Pierre Richoux, Alexander Comeau, Alice L. Foley, widow of John Foley, and François Martin, of the State of Louisiana.

July 20, 1840.
Vol. 6, p. 808.

Be it enacted, &c., That the claim of Pierre Molaison to a tract of land of one arpen and a half front, more or less, with forty arpens in depth, situate on the left bank of the Bayou Lafourche, about three miles below the town of Thibodauxville, be, and the same is hereby confirmed.

Land claim of
P. Molaison con-
firmed.

SEC. 2. *And be it further enacted*, That the claim of the widow, Pierre Richoux, to a tract of land of one arpen and a half front, more or less, with forty arpens in depth, situate on the left bank of the Bayou Lafourche, about three miles below the town of Thibodauxville, and bounded on the lower side by the land of Pierre Molaison, described in the first section of this act, be, and the same is hereby confirmed.

Claim of P.
Richoux confirm-
ed.

SEC. 3. *And be it further enacted*, That the claim of Alexander Comeau, to a tract of land of four arpens front, with forty arpens in depth, situate on the left bank of the Bayou Lafourche, about four leagues and a half from the Mississippi, and designated as fractional section number fifty-eight, in township thirteen, range fourteen east, be, and the same is hereby confirmed.

Claim of A. Co-
meau confirmed.

SEC. 4. *And be it further enacted*, That the claim of Alice L. Foley, widow of John Foley, to a tract of land in the parish of Assumption, on the left bank of the canal leading to Lake Verit, and containing ten arpens front by forty arpens in depth, designated as sections numbers one hundred and forty and one hundred and eighty, of townships numbers fourteen and fourteen, in range numbers thirteen and fourteen east, be, and the same is hereby confirmed.

Claim of A. L.
Foley confirmed.

SEC. 5. *And be it further enacted*, That the claim of François Martin to a tract of land in the parish of Assumption, on the right bank of the canal, to Lake Verit, containing one hundred and forty and sixty-three

Claim of F.
Martin confirm-
ed.

Proviso.

hundredths acres, be, and the same is hereby, confirmed: *Provided*, That none of the confirmations contained in this act shall amount to any thing more than a relinquishment of claim on the part of the United States.

July 20, 1840.
Vol. 6, p. 811.

No. 847.—AN ACT for the relief of William Marbury, of Louisiana.

Authorized to enter certain land, in lieu of land sold by United States.

Be it enacted, &c., That William Marbury, of the State of Louisiana, be, and he is hereby, authorized to enter, without payment, at the land office at St. Helena, a section of six hundred and forty acres of land, in township seven, range three east, in the land district of St. Helena, in the State of Louisiana, in lieu of and as a full equivalent for the same quantity of land to which he had a private claim, which was confirmed, under a certificate numbered seven hundred and sixteen, in October, in the year one thousand eight hundred and twenty-seven, and which tract of land was then required, by an order of survey from the land office at St. Helena, to be run out and allotted to him in the parish of St. Tammany, in the same land district, but which was not surveyed or allotted in pursuance of said order, and was returned as public land; the most valuable part of which has since been sold by the United States: *Provided*, That before a patent shall issue for the land, the entry of which is authorized by the provisions of this act, the said Marbury shall relinquish to the United States, in such manner as the Commissioner of the General Land Office may direct, all his interest to the land originally confirmed, which should have been run out and allotted to him in the parish of St. Tammany.

Proviso.

March 2, 1841.
Vol. 6, p. 820.

No. 848.—AN ACT for the relief of Jean Baptiste Comeau.

Authorized to enter land, in lieu of, &c.

Be it enacted, &c., That Jean Baptiste Comeau, of the parish of Lafayette, in the State of Louisiana, be, and he is hereby, authorized to enter, without payment therefor, two hundred and ten acres of land, upon any of the public lands which have been surveyed, and are subject to sale by private entry in the said State, in lieu of a like quantity of land confirmed to him upon the report of the commissioners of land claims for the western district of Louisiana, of the first of May, one thousand eight hundred and fifteen, and which was subsequently sold by the United States to a certain Jean E. Lefebvre, under the provisions of the act of the twelfth of April, one thousand eight hundred and fourteen, entitled "An act for the final adjustment of land titles in the State of Louisiana and Territory of Missouri:" *Provided*, The location of the land, the entry of which is here authorized, shall, as near as can be, conform to the legal divisions and subdivisions of the surveys of the public lands, and if the quantity located shall exceed two hundred and ten acres, the residue shall be paid for at the minimum price of public lands; and upon a return of the usual certificate to the General Land Office of the United States, a patent shall issue, as in other cases of land sold by the United States. (a)

Proviso.

(a) See No. 857.

April 14, 1842.
Vol. 5, p. 472.

No. 849.—AN ACT to confirm certain entries of lands in the State of Louisiana, and to authorize the issuing of patents for the same.

Entries of lands described confirmed.

Be it enacted, &c., That the entries of the following described tracts of land permitted to be made by the register and receiver at Ouachita, in the land district north of Red River, in the State of Louisiana, to wit: Lot number five, of section thirty-eight, and lots numbers one, two, five, and six, of section forty-five, and lots numbers three and four, of section forty-five, and lots numbers three, four, and five, of section forty-six, and lots numbers two, three, six, seven, eleven, twelve, thirteen, and fourteen, of section forty-eight, all said lots being in township number thirteen, of range number twelve east, in the said land district north of Red River, in the State of Louisiana, be, and the same are hereby, confirmed and declared to be good and valid; and patents shall issue thereon as in other cases of good and valid entries, and certificates of purchase, any law to the contrary notwithstanding. (a)

Patents to be issued.

(a) See Nos. 704, 708, 710, 720, 722, 729, 730, 731, 732, 761, 762, 766, 813, 818, 852, 860, 897, 899, 919, 920, 928, 963.

No. 850.—AN ACT for the relief of Clark Woodrooff.May 10, 1842.
Vol. 6, p. 828.

Be it enacted, &c., That upon the surrender to the Secretary of the Treasury of the United States, by Clark Woodrooff, or his legal representatives, of the original certificates and receipts granted to him by the land office in the St. Helena district, west of Pearl River, in the State of Louisiana, for the purchase money of certain lands entered at said office by the said Clark Woodrooff, on the tenth and twenty-third days of February, in the year one thousand eight hundred and thirty-seven, in order that the same may be cancelled, the Secretary of the Treasury be, and he is hereby, authorized and required to pay to the said Clark Woodrooff, or his legal representatives, out of any moneys in the Treasury not otherwise appropriated, the amount originally paid by the said Clark Woodrooff upon the original certificates and receipts which he is hereby required to surrender, and upon which patents have been refused.

Upon the surrender of certain receipts for purchase money, &c., the amount so paid to be returned.

No. 851.—AN ACT for the relief of Charles H. Atherton.June 22, 1842.
Vol. 6, p. 832.

Be it enacted, &c., That the Secretary of the Treasury be, and he hereby is, authorized and directed to pay to Charles H. Atherton, or to his legal representatives, out of any money in the Treasury not otherwise appropriated, the sum of two thousand three hundred thirty-three dollars and eighty-six cents, it being for money paid by the said Atherton for public land entered by him in the St. Helena land district, in Louisiana, to which the United States are unable to give him a title, or to correctly locate the same: *Provided*, That said Charles H. Atherton, or his legal representatives, shall first surrender to the Secretary of the Treasury, to be cancelled, the original certificates for said land, or shall relinquish to the United States all interest in the same, in such form as shall be prescribed by the Secretary of the Treasury.

Amount paid for land to which the United States could not give him a title, to be refunded.

Proviso.

No. 852.—AN ACT confirming certain land claims in Louisiana.July 6, 1842.
Vol. 5, p. 491.

Be it enacted, &c., That the claims to lands within the land district of New Orleans, being numbers six, seven, eight, nine, eleven, twelve, thirteen, fourteen, fifteen, sixteen, seventeen, eighteen, nineteen, twenty, twenty-one, thirty, thirty-four, thirty-five, thirty-eight, forty-seven, forty-eight, fifty-seven, fifty-nine, sixty, sixty-one, and sixty-two, of the two reports of the register and receiver of said land district, dated fourteenth of December, eighteen hundred and thirty-six, and second of November, eighteen hundred and thirty-seven, and made under the provisions of the act of the sixth of February, eighteen hundred and thirty-five, entitled "An act for the final adjustment of claims to lands in the State of Louisiana," be, and the same are hereby, confirmed: *Provided, always*, That this is only to operate as a quit-claim on the part of the United States.

Certain land claims in New Orleans district confirmed.

Proviso.

SEC. 2. *And be it further enacted*, That a sum not exceeding five hundred dollars be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise disposed of, to be used by the Commissioner of the General Land Office, in paying the expenses of a copy of all the documents of record, and offered before the register and receiver of the New Orleans land district, in support of the claims reported upon by them, and which are not confirmed by this act.

Appropriation for documents relative to land claims not confirmed.

SEC. 3. *And be it further enacted*, That claims numbers two, five, eight, nine, eleven, twelve, thirteen, fourteen, sixteen, seventeen, nineteen, twenty-two, twenty-six, thirty-four, thirty-five, thirty-six, thirty-eight, forty and forty-six, of the report of the register and receiver of the Ouachita land district, in the State of Louisiana, dated the twenty-fourth day of July, eighteen hundred and thirty-seven, and made under the provisions of the act of the sixth day of February, eighteen hundred and thirty-five, are hereby confirmed for six hundred and forty acres each.

Certain claims in Ouachita district confirmed.

SEC. 4. *And be it further enacted*, That numbers one, four, seven, fifteen, eighteen, twenty, twenty-three, twenty-nine, thirty, thirty-one, thirty-seven and forty-eight of said report, are also confirmed, as recommended by the register and receiver; number three, is confirmed to two thousand acres, number twenty-four to one thousand acres, and number forty-five to two hundred acres: *Provided*, That this act shall amount only

Certain other claims confirmed.

Proviso.

to a relinquishment on the part of the United States, and shall in no manner affect the rights of third persons, and, on the presentation to the Commissioner of the General Land Office of a plat of survey duly approved by the surveyor-general of the State of Louisiana, the claimant shall be entitled to a patent.

Certain claims at Greensburg, formerly Saint Helena, confirmed.

SEC. 5. *And be it further enacted*, That claims numbers ten, eighteen, nineteen, and twenty, of the list reported by the register and receiver of the land office at Greensburg, formerly St. Helena, under the provisions of the act of Congress of the sixth day of February, eighteen hundred and thirty-five, entitled "An act for the final adjustment of claims to lands in the State of Louisiana," be, and the same are hereby confirmed; and upon the presentation to the Commissioner of the General Land Office of a plat, approved by the surveyor-general of Louisiana, the owner or owners of said claims shall be entitled to a patent.

Certain other claims confirmed.

SEC. 6. *And be it further enacted*, That claims numbers seven and eight of the list mentioned in the preceding section are also confirmed, giving the right to the claimants to locate the same within one year after the passage of this act, on any public lands subject to sale at private entry, in the district where said claims are situated; which location, approved and certified by the surveyor-general of Louisiana to the Commissioner of the General Land Office, will entitle said claimants to a patent: *Provided*, Said claimants shall, previous to making said location, relinquish to the United States their claims to the lands originally claimed by them.

Proviso.

Certain claims to land in the district south of the Red River, confirmed.

SEC. 7. *And be it further enacted*, That the claims to land within the district south of Red River, being numbers thirty-three, thirty-five, forty-five, fifty-two, seventy-seven, seventy-nine, eighty-seven, ninety-three, one hundred, one hundred and two, one hundred and three, one hundred and eight, one hundred and twenty-two, one hundred and thirty-two, one hundred and forty-two, one hundred and forty-seven, one hundred and forty-eight, one hundred and fifty-one, one hundred and fifty-two, one hundred and fifty-seven, one hundred and fifty-nine, one hundred and sixty, one hundred and sixty-two, one hundred and sixty-three, one hundred and sixty-four, one hundred and sixty-five, one hundred and sixty-six, of the reports of the register and receiver of the land office at Opelousas, dated the thirtieth May and sixth June, eighteen hundred and thirty-five, aforesaid, be, and the same are hereby, confirmed: *Provided*, That the Commissioner of the General Land Office shall cause a further investigation to be made, and further evidence to be taken, in relation to claim number one hundred and sixty-one of said report; and should it appear that the original claimants actually inhabited and cultivated the lands claimed on and prior to the twenty-second day of February, eighteen hundred and nineteen, then and in that case, the same shall be confirmed, by and with the approbation of the Secretary of the Treasury.

Proviso.

Other claims confirmed.

SEC. 8. *And be it further enacted*, That the following claims in the said reports of the register and receiver of the land office at Opelousas be, and the same are hereby, confirmed, as follows, to wit: Number twenty-nine, to the legal representatives of Joseph Maritaurus; number forty-six, to the extent contained in a league square; number forty-nine, for six hundred and forty acres, to the legal representatives of Bernard Lacroix; number fifty-four, to the legal representatives of J. Baptiste Vallery; number seventy-eight, for six hundred and forty acres, to Onezime Guedry, assignee of Nicholas Provost, and six hundred and forty acres to the legal heirs and representatives of Daniel Guedry and Jean Mouton, senior; number ninety-one, for so much as will, with the quantity heretofore confirmed, make the quantity of one league front by the depth of forty arpens; number ninety-nine, for six hundred and forty acres, to embrace the residence and improvements of Hugh Mulhollan on and previous to the twentieth day of December, eighteen hundred and three; number one hundred and fourteen, to the legal representatives of Andre Dumas; number one hundred and fifty-four, to the legal representatives of Antonio Mora; number one hundred and fifty-eight, to the legal representatives of Louis Frizzini; number one hundred and sixty-seven, to Jacob Wallace or his legal representatives.

Certain provisions of the two preceding sections not to ex-

SEC. 9. *And be it further enacted*, That the provisions of the two preceding sections of this act, which confirm donation claims situate in that part of said land district known as the "Neutral Territory," shall not be regarded as extending to any lands which are held by any person

by virtue of any bona-fide French or Spanish grant, warrant, or order of survey, made prior to the twentieth of December, eighteen hundred and three, heretofore filed, according to law, with any register, or commissioner, or register and receiver of said district: *Provided*, That the confirmations made by virtue of the two preceding sections shall only operate as a relinquishment of the right of the United States, and shall not affect the right of third persons, nor preclude a judicial decision between private claimants for the same land; and on the presentation, to the Commissioner of the General Land Office of a plat of survey, duly approved by the surveyor-general of Louisiana, the claimant shall be entitled to a patent. (a)

(a) See Nos. 699, 701, 703, 704, 705, 708, 710, 712, 716, 718, 721, 722, 723, 724, 728, 731, 732, 737, 738, 739, 740, 745, 746, 749, 752, 753, 777, 790, 817, 819, 826, 863, 864, 873, 889, 899, 904, 911, 946, 956, 957, 961, 967.

No. 853.—AN ACT for the relief of Valerian Allain.

Aug. 11, 1842.
Vol. 6, p. 855.

Be it enacted, &c., That the land, designated by certificates seventeen, eighteen, and nineteen, entered in pursuance of an act of Congress, approved twelfth April, eighteen hundred and fourteen, entitled "An act for the final adjustment of land titles in the State of Louisiana, and Territory of Alabama [Missouri]," entered, as appears by the certificate of the register of the land office for the eastern district of Louisiana, on the fifth day of April, eighteen hundred and thirty-two, by Valerian Allain, George Dolandes, and Robert Boyd, one hundred and sixty acres each, at one dollar and twenty-five cents per acre, paid at the time of the entry (and the said Valerian Allain having purchased of George Dolandes and Robert Boyd the land designated in certificates numbers seventeen and nineteen, which said land, by a survey subsequent to said entries, was found to be located partly on sections sixteen and seventeen, in township seven, south of range twelve east,) be, and the same are hereby, confirmed to the said Valerian Allain; and the Commissioner of the General Land Office is hereby authorized to issue to the said Valerian Allain patents therefor.

Land designat-
ed by certain cer-
tificates, con-
firmed to him.

Patents to is-
sue therefor.

SEC. 2. *And be it further enacted*, That the proper authorities of the State of Louisiana, for township seven of range twelve east, in the eastern district of Louisiana, be, and they are hereby, authorized to enter, under the direction of the Secretary of the Treasury, other land, in lieu of the land by this act confirmed to Valerian Allain. (a)

Other land may
be entered in lieu
of that confirmed
to V. Allain.

SEC. 3. *And be it further enacted*, That this act shall not be construed so as to interfere with any rights, except those which appertain to the United States and Valerian Allain.

Act not to in-
terfere with any
rights, &c.

(a) See Nos. 418, 704, 708, 710, 832, 834, 835, 837, 841, 843, 859, 883, 884, 891, 894, 895, 903.

No. 854.—AN ACT to confirm the title of the heirs of James Sympton, deceased, to a certain tract of land in the State of Louisiana.

Aug. 29, 1842.
Vol. 6, p. 869.

Be it enacted, &c., That the heirs at law of James Sympton, deceased, late of Clarke County, State of Kentucky, be, and they are hereby, confirmed in their title to a certain tract of land situate at the mouth of the Atchafalaya at its junction with the Mississippi River, containing six hundred and forty acres; and as surveyed and platted in the surveyor-general's office at Donaldsonville, in the State of Louisiana, upon the survey made and returned by Charles Morgan, of date eleventh February, eighteen hundred and six, and executed for Andy Robinson: *Provided*, This confirmation shall only be construed as a relinquishment of the title of the United States to said land, and not to prejudice any superior and better title.

Land title con-
firmed.

Provided

No. 855.—AN ACT for the relief of John Compton, assignee and representative of Garrigues Flaujac.

Aug. 29, 1842.
Vol. 6, p. 870.

Be it enacted, &c., That a patent shall be issued in the usual form to John Compton, assignee and representative of Garrigues Flaujac, for the land entered by him on the twenty-fourth day of May, one thousand eight hundred and thirty-six, at the Opelousas land office, as a back pre-emption to the tract on Red River, located under the act for the relief of Garrigues Flaujac, in lieu of land on Bayou Gros Tete, confirmed to said Flaujac by act of Congress of the twenty-eighth of February, one thousand eight hundred and twenty-three. (a)

Patent to be is-
sued to him for a
certain tract of
land.

(a) See Nos. 758, 805.

Aug. 29, 1842.
Vol. 6, p. 870.

No. 856.—AN ACT for the relief of the legal representatives of Therese Malette, widow of Gaspard Phiole.

Authorized to locate four floating rights, in lieu of, &c.

Proviso.

Be it enacted, &c., That the legal representatives of Therese Malette, widow of Gaspard Phiole, be, and they are hereby, authorized to locate four floating rights, of five hundred acres each, on any unappropriated lands west of the Mississippi, in the State of Louisiana, which shall be in lieu of their claim to a tract of two thousand acres of land, recommended for confirmation by the old board of commissioners at Opelousas, and confirmed by the act of the twenty-ninth of April, eighteen hundred and sixteen, the location of which is disputed by the land office: *Provided,* That before patents shall issue for the lands, the location of which is authorized by this act, the legal representatives of said Therese Malette shall surrender to the United States, in such manner as the Commissioner of the Land Office shall direct, all right, title, and interest, in and to the land held under the aforesaid confirmation: *And provided, also,* Said locations shall be made on lands subject to sale at private entry, and to conform as nearly as possible to the public surveys of the United States.

Aug. 29, 1842.
Vol. 6, p. 871.

No. 857.—AN ACT for the relief of Jean Baptist Comeau.

Authorized to enter land, in lieu of a like quantity sold by United States.

Proviso.

Patent to issue.

Be it enacted, &c., That Jean Baptist Comeau, of the parish of Lafayette, in the State of Louisiana, be, and he is hereby, authorized to enter, without payment therefor, two hundred and ten acres of land, upon any of the public lands which have been surveyed, and are subject to sale by private entry in the district of lands subject to sale at Opelousas, in lieu of a like quantity of land confirmed to him upon the report of the commissioners of land claims for the western district of Louisiana, of the first of May, one thousand eight hundred and fifteen, and which was subsequently sold by the United States to a certain Jean E. Lefabvre, under the provisions of the act of the twelfth of April, one thousand eight hundred and fourteen, entitled "An act for the final adjustment of land titles in the State of Louisiana and Territory of Missouri:" *Provided,* The location of the land, the entry of which is here authorized, shall, as near as can be, conform to the legal divisions and subdivisions of the surveys of the public lands, and if the quantity located shall exceed two hundred and ten acres, the residue shall be paid for at the minimum price of public lands; and upon a return of the usual certificate to the General Land Office of the United States, a patent shall issue as in other cases of lands sold by the United States. (a)

(a) See No. 848.

Aug. 29, 1842.
Vol. 5, p. 540.

No. 858.—AN ACT in relation to lands sold in the Greensburgh, late St. Helena, land district, in the State of Louisiana, and authorizing the resurvey of certain lands in said district.

In cases where the United States cannot issue patents, the certificates of purchase may be surrendered to be cancelled.

President may cause a resurvey of the unsold lands, &c.

Be it enacted, &c., That in all cases where lands shall have been entered at the land office in the Greensburgh, late St. Helena, land district, in the State of Louisiana, where the United States cannot issue patents therefor, owing to the errors and imperfections of the public surveys, or to conflicting claims, it shall be lawful for the person having made such entries, or his or her heirs or legal representatives, or grantees, or their heirs or legal representatives, who may [be] legally and equitably entitled to the same, after a demand of the patent, and a refusal to issue the same, to surrender his or her certificate of purchase to the Secretary of the Treasury to be cancelled; and, upon such surrender, it shall be the duty of the Secretary of the Treasury to refund, without interest, the purchase money for said lands to the person entitled to receive the same, out of any money in the Treasury not otherwise appropriated.

SEC. 2. *And be it further enacted,* That it shall be lawful for the President of the United States, if he shall deem it expedient, to cause a resurvey of all or any part of the lands lying in said district remaining unsold, or the certificates for which may be surrendered in virtue of this or any other act of Congress, thereby correcting the surveys, (a) and designating the lands covered by private claims under Spanish or French grants; and so soon as said resurveys shall have been returned and confirmed by the Secretary of the Treasury, the unreserved public lands therein specified shall be subject to the laws for the disposal of the

public lands, and patents therefor shall issue as in other cases: (b) *Provided*, That purchasers aforesaid may retain their certificates of purchase, and the surveys of said tracts shall be corrected, and when said surveys are corrected, may receive their patents from the United States for the land so purchased by them. Proviso.

(a) See Nos. 701, 703, 704, 708, 710, 718, 722, 724, 727, 730, 731, 777, 803.

(b) See Nos. 704, 708, 710, 720, 722, 729, 730, 731, 732, 761, 768, 786, 813, 818, 849, 860, 897, 899, 919, 920, 928, 963.

No. 859.—AN ACT to authorize the legislatures of the States of Illinois, Arkansas, Louisiana, and Tennessee, to sell the lands heretofore appropriated for the use of schools in those States.

Feb. 15, 1843.
Vol. 5, p. 600.

[See ILLINOIS, No. 418.]

No. 860.—AN ACT to set aside certain reservations of lands, on account of live-oak in the southeastern district of Louisiana.

March 3, 1843.
Vol. 5, p. 611.

Be it enacted, &c., That the reservations made by the United States in eighteen hundred and thirty-two, of lands situate in township thirteen, range twelve east; township fourteen, ranges twelve and thirteen east; township fifteen, range thirteen east; township sixteen, range sixteen east; and township seventeen, range sixteen east, in the southeastern district of Louisiana, on account of the live-oak supposed to grow thereon, be set aside and annulled; and that any persons entitled to pre-emption under the existing laws, within the limits of the said townships, be admitted to make their proofs and complete their titles, in the same manner as if the reservations for live-oak had not been made. (a)

Certain reser-
vations of lands
for live-oak set
aside.

Right of pre-
emption to said
lands admitted.

(a) See Nos. 704, 708, 710, 720, 722, 729, 730, 731, 732, 761, 768, 786, 813, 818, 849, 858, 897, 899, 919, 920, 928, 963.

No. 861.—AN ACT for the relief of the heirs of Philander Smith and James Young.

March 3, 1843.
Vol. 6, p. 890.

Be it enacted, &c., That the heirs of Philander Smith and the heirs of James Young be, and they are hereby, confirmed in their claim (according to the portions by them respectively owned) to a tract of land containing fifteen hundred arpens, situate about six miles from the town of Baton Rouge, in the State of Louisiana, originally granted to Armand Duplantier, by Baron de Carondelet, on the twenty-fifth day of October, one thousand seven hundred and ninety-six.

Land claim
confirmed.

No. 862.—AN ACT for the relief of James B. Sullivan, of the county of Rapides, in the State of Louisiana.

March 3, 1843.
Vol. 6, p. 905.

Be it enacted, &c., That James B. Sullivan be, and he is hereby, authorized and permitted to complete his purchase of lot numbered sixteen, (or part of it, containing one hundred and fifty-three acres and a sixtieth part of an acre,) being lot sixteen, in township numbered five north of the thirty-first degree of north latitude, of range numbered three west of the basis meridian, in the southwestern district of the State of Louisiana, situated in the parish of Rapides, in said State, and containing, according to the register's certificate, one hundred and fifty-three acres and the sixteenth part of an acre, in virtue of his right of pre-emption, according to the act of Congress of the nineteenth of June, one thousand eight hundred and thirty-four, any law to the contrary notwithstanding, which said land is hereby declared to be no part of section sixteen, reserved for the use of schools in the congressional township in which the same is situated.

Authorized to
complete the pur-
chase of certain
land.

No. 863.—JOINT RESOLUTION directing certain papers relating to titles to land in Louisiana, to be returned to the General Land Office.

March 3, 1843.
Vol. 5, p. 649.

Resolved, &c., That the Secretary of the Senate and the Clerk of the House of Representatives be, and they are hereby, instructed to furnish to the Commissioner of the General Land Office, the original reports from the several land offices in the State of Louisiana, made under the

Certain papers
to be returned to
the General Land
Office.

Proviso.

provisions of an act entitled "An act for the final adjustment of claims to land in the State of Louisiana," approved February sixth, one thousand eight hundred and thirty-five; also the title-papers and evidence relating to claims in said reports, confirmed by an act entitled "An act confirming certain land claims in Louisiana," approved July sixth, one thousand eight hundred and forty-two: *Provided*, That claimants shall be entitled to withdraw their original title-papers after fair copies shall have been taken by the Commissioner of the General Land Office. (a)

(a) See Nos. 699, 701, 703, 704, 705, 708, 710, 712, 716, 718, 721, 722, 723, 724, 728, 731, 732, 737, 738, 739, 740, 745, 746, 749, 752, 753, 777, 790, 817, 819, 826, 852, 864, 873, 889, 899, 904, 911, 946, 956, 957, 961, 967.

June 17, 1844.
Vol. 5, p. 676.

No. 864.—AN ACT to provide for the adjustment of land claims within the States of Missouri, Arkansas, and Louisiana, and in those parts of the States of Mississippi and Alabama south of the thirty-first degree of north latitude, and between the Mississippi and Perdido rivers.

[See MISSOURI, No. 1067.]

June 17, 1844.
Vol. 5, p. 715.

No. 865.—AN ACT to authorize the entry of certain lands, occupied by the branch pilots of the port of New Orleans, and others, in the State of Louisiana.

Allowed to enter certain lands in Louisiana.

Proviso.

To enure to their benefit severally.
Proviso.

Be it enacted, &c., That Andrew Anderson, James T. Allen, George Benson, John Bailey, John R. Brown, Edward Bourguin, Jacob Baker, William Brownson, Robert Cooper, Edward Clarke, Thomas Cross, William C. Davis, Edward G. Davis, Ephraim Eldridge, William Ellis, Dennis Finn, Nathaniel J. France, John Fowler, Robert Holliday, John Holland, David Johnston, Henry Johnson, James J. Jarvis, George Linton, Cyrus Lamontt, Cyrus Morgan, James W. Morgan, John Miller, Hans Myers, Erasmus Newman, John Parker, John Perrin, Asa Payson, Peter Robinson, James B. Read, Francisco Reeper, David Shepherd, Joseph Shepherd, William T. Smith, Christopher Scheltz, William Stevens, James Scott, John Swiler, James Tyson, William D. Tolbortt, William Taylor, Thomas J. Vanderslice, James B. Williams, Hiram B. Webster, James Kelly, William Denford, Edward Hansbury, Joseph E. Dunham, Charles Linguist, Gilbert Leonard, and Joseph Lampade, all of the parish of Plaquemines in the State of Louisiana, or their legal representatives, be, and they are hereby, authorized to enter at the land office in the southeastern land district in said State, within six months after the passage of this act, section seventeen and lots one and two of section eighteen, in township twenty-three, of range thirty-three east, situated in said district, upon payment to the receiver of the said land office of one dollar and twenty-five cents per acre: *Provided*, That at the time of making said entry, they shall file in the land office a survey and plat of the land entered, signed by them or their legal representatives, specifying thereon the extent of their several claims by occupancy; and that when the said entry shall be made, the same shall enure to the benefit of such persons, severally, in the proportions and according to the quantities specified on said plat: *And provided further*, That this act shall not invalidate any rights which any other person, not herein named, may be entitled to under any law heretofore passed.

June 17, 1844.
Vol. 6, p. 924.

Land entry confirmed.

No. 866.—AN ACT for the relief of James Pepper, and others.

Be it enacted, &c., That the entry made at the land office at Washita, Louisiana, by James Pepper and others, of section number fifty-two, in township numbered sixteen, of range numbered fourteen east, on the thirtieth day of May, one thousand eight hundred and thirty-six, by certificate number three thousand four hundred and twenty-six, be, and the same is hereby, confirmed; and the Commissioner of the General Land Office is authorized to issue a patent therefor.

June 17, 1844.
Vol. 6, p. 926.

Authorized to enter certain land.

No. 867.—AN ACT for the relief of Pierre S. Derbanne.

Be it enacted, &c., That Pierre S. Derbanne, of the parish of Natchitoches, in the State of Louisiana, or his legal representatives, shall be, and he or they are hereby authorized to make entry and purchase at one dollar and twenty-five cents per acre, on the terms above stated,

of lots numbers two and three, being the northwest fractional quarter of section fifteen, of township nine north, range six west of the northwestern land district in the State of Louisiana, or so much thereof as does not conflict with the claim of Jean Pierre Valade, agreeably to a diagram approved by the surveyor-general of Louisiana, to include his improvements as nearly as practicable: *Provided*, That said lots shall not have been sold by the United States prior to the passage of this act.

Proviso.

No. 868.—AN ACT for the relief of François Christien and widow Baptiste Berard.

June 17, 1844.
Vol. 6, p. 928.

Be it enacted, &c., That the claims, by right of ancient settlement of Madame Baptiste Berard, widow of Baptiste Berard, deceased, and François Christien, respectively, on the east side of the Bayou Teche—the Berard claim for eleven arpens front by forty deep, and the other for twelve arpens front by forty deep, be, and the same are hereby, confirmed to the aforesaid claimants, respectively, or their legal representatives, to embrace the original improvements of the claimants; and on the return to the General Land Office of plats of survey, duly approved by the surveyor-general of Louisiana, for the aforesaid claims patents shall issue: *Provided, however*, That this act, and the patents that may issue in pursuance hereof, shall only be held to be a relinquishment of the title of the United States, and shall in no manner affect the rights of third persons, or preclude a judicial decision in favor of any other title, if such exist, to the same tracts.

Land claims confirmed.

Proviso.

No. 869.—AN ACT to authorize a relocation of land warrants number three, four, and five, granted by Congress to General Lafayette.

Feb. 26, 1845.
Vol. 5, p. 729.

Be it enacted, &c., That the legal holders or assignees of land warrants numbered three, four, and five, granted by the act of Congress of twenty-seventh March, one thousand eight hundred and four, to General Lafayette, and located at Point Coupee, in the State of Louisiana, in three adjoining surveys of one thousand acres each, and which locations are shown to have been made in material conflict with several older and better grants, shall, upon exhibiting to the register and receiver of any land office within the State of Louisiana, his or their evidence of right to the warrants above described, be permitted, under the same rules and restrictions of the original law under which said locations were authorized, to enter and locate a like quantity of land on any of the unappropriated public lands in the State of Louisiana: *Provided*, That, before any such register and receiver shall issue to such holders or assignees any certificate of relocation, the holders or assignees shall deposit a copy of their deraignment of title from General Lafayette, and a release of title to the lands located at Point Coupee. (a)

Holders of the warrants authorized to enter other lands, &c.

Proviso.

(a) See Nos. 32, 700, 701, 704, 708, 748a.

No. 870.—A RESOLUTION in relation to the issuing of grants of certain lands in Louisiana.

June 26, 1846.
Vol. 9, p. 110.

Resolved, &c., That the Attorney-General of the United States be, and he is hereby, directed to examine the evidences of title in the case of a certain Spanish land claim in the State of Louisiana, lying on the Mississippi, above New Orleans, commonly known as the Houma claim, and to report his opinion thereon to the President of the United States; and if, in the opinion of the Attorney-General, any patent or patents issued, or which may be issued, under such claim, shall have been, or shall be, issued contrary to law, that the President of the United States be, and he is hereby, requested to cause proceedings to be instituted in behalf of the United States, and to have the validity of such patent or patents judicially determined. (a)

Attorney-General to examine evidences of title in the case of the Houma land claim, and report to President; who shall cause proceedings to be instituted to try the validity of any patents supposed to be issued contrary to law.

(a) See No. 956.

July 21, 1846.
Vol. 9, p. 656.

No. 871.—AN ACT for the relief of Benjamin Ballard.

Benjamin Ballard confirmed in his claim to certain lots of land in Louisiana, entered in the name of William Moyslin, and to a lot of land entered in the name of Elizabeth Parker.

Be it enacted, &c., That Benjamin Ballard, of the State of Louisiana be, and he is hereby, confirmed in his claim, by mesne conveyances, to lots numbered one and four, section thirty-five, township sixteen, range twelve, containing ninety acres and sixty-hundredths, entered in the name of William Moyslin; and to the northwest fractional quarter-section twenty-seven, township sixteen, range twelve, containing sixty-two acres and fifty-two hundredths, entered in the name of Elizabeth Parker—both situated on the Red River, and sold at the Natchitoches land office on the eighth of May, one thousand eight hundred and forty. And the Commissioner of the General Land Office is hereby directed to issue patents to the said Ballard for the land so above described.

July 23, 1846.
Vol. 9, p. 113.

No. 872.—A RESOLUTION authorizing the sale of certain land at Baton Rouge to the State of Louisiana.

Secretary of War authorized to sell State of Louisiana certain land near Baton Rouge for a site for State-house.

Resolved, &c., That the Secretary of War be, and he is hereby, authorized and empowered to sell and convey (for the use and benefit of the State of Louisiana) to the three commissioners appointed by the legislature of said State to select a site on which to erect a State-house, two or more acres of the tract of land owned by the United States, lying in the parish of East Baton Rouge, State of Louisiana, above and adjoining the town of Baton Rouge: *Provided*, That, in the judgment of the President of the United States, said sale may be made without detriment to the public interest.

Aug. 6, 1846.
Vol. 9, p. 66.

No. 873.—AN ACT to provide for the confirmation of certain settlement claims in the Greensburg land district, Louisiana.

The second proviso of act of 1822, not to apply to the reports of Cosby and Skipwith on certain settlement claims, which are hereby confirmed.

Be it enacted, &c., That the second proviso of the third section of the act of eighth May, eighteen hundred and twenty-two, entitled "An act supplementary to the several acts for adjusting the claims to land and establishing land offices in the districts east of the island of New Orleans," shall not apply to the reports dated eighteenth November, eighteen hundred and twenty, and twenty-fourth July, eighteen hundred and twenty-one, of Cosby and Skipwith, on settlement claims in that part of Louisiana which lies east of the Mississippi River and west of Pearl River; but such claims which, according to the said reports, were inhabited or cultivated, or where the date of settlement was before the fifteenth April, eighteen hundred and thirteen, are hereby confirmed under the other restrictions of said third section; but this confirmation shall in no manner affect prior rights, and shall only amount to a relinquishment on the part of the United States. (a)

(a) See Nos. 699, 701, 703, 704, 705, 708, 710, 712, 716, 718, 721, 722, 723, 724, 728, 731, 732, 737, 738, 739, 740, 745, 746, 749, 752, 753, 777, 790, 817, 819, 826, 852, 863, 864, 889, 899, 904, 911, 946, 956, 957, 961, 967.

Jan. 26, 1847.
Vol. 9, p. 118.

No. 874.—AN ACT declaring the assent of Congress to certain States to impose a tax upon all lands hereafter sold by the United States therein, from and after the day of such sale.

[States admitted into the Union prior to April 24, 1820, may tax public lands after the day of sale. See OHIO, No. 169.]

March 2, 1847.
Vol. 9, p. 690.

No. 875.—AN ACT confirming the claim of the heirs and legal representatives of Pierre Dufresne to a tract of land.

Claim of heirs of Pierre Dufresne to a tract of land confirmed.

Proviso.

Proviso.

Be it enacted, &c., That the claim of the heirs and legal representatives of Pierre Dufresne to a tract of land situate on the Bayou Siard, in the State of Louisiana, containing six acres in front, with a depth of forty acres, bounded on the west by the lands of Francis Duval, be, and the same is hereby, confirmed: *Provided*, That the said confirmation shall amount only to a relinquishment of all the right and claim of the United States to the said tract of land: *And provided, also*, That nothing herein contained shall be construed to affect the claim or claims of any individual or individuals, or of any body politic or corporate.

No. 876.—AN ACT for the relief of William B. Keene.March 2, 1847.
Vol. 9, p. 691.

Be it enacted, &c., That the entry heretofore made at the land office at Onachita, in the State of Louisiana, of the east half of the southeast quarter of section twenty-six, in township twenty north, of range twelve east, by certificate number four thousand eight hundred and seventeen, be, and the same is hereby, confirmed, and a patent shall be issued therefor in the same manner as for other lands entered at the same office.

Entry of a certain tract of land made by William B. Keene, confirmed.
Patent to issue.

No. 877-878.—AN ACT for the relief of the heirs of Louis de la Houssaye, deceased.March 2, 1847.
Vol. 9, p. 691.

Be it enacted, &c., That the heirs and legal representatives of Louis de la Houssaye, deceased, be authorized and permitted to locate the tract of land confirmed to them by an act entitled "An act for the relief of the heirs and legal representatives of Louis de la Houssaye," approved second March, eighteen hundred and twenty-seven, upon any vacant public land in the Opelousas land district, in Louisiana: *Provided*, That said lands shall not be located in less quantities than a quarter of a section. (a)

Heirs, &c., of Louis de la Houssaye authorized to locate the tract of land confirmed to them upon any vacant land.
Proviso.

(a) See No. 759.

No. 879.—AN ACT to attach a portion of the northwestern land district of Louisiana to the district north of Red River, Louisiana.June 16, 1848.
Vol. 9, p. 237.

Be it enacted, &c., That from and after the first day of October, anno Domini eighteen hundred and forty-eight, townships fourteen north to twenty-three north, inclusive, in ranges four and five west, shall be detached from the northwestern land district, Louisiana; and the same shall, from and after the date aforesaid, be attached to, and form a part of, the district north of Red River, Louisiana; and it shall be, and is hereby, made the duty of the Commissioner of the General Land Office to cause the land office in the district north of Red River to be furnished with the plats and other papers, or transcripts thereof, relating to the townships aforesaid, and to have this act carried into full effect. (a)

A portion of the northwestern land district of Louisiana attached to the district north of Red River.

(a) See Nos. 701, 704, 708, 710, 711, 718, 731, 737, 740, 831, 965.

No. 880.—AN ACT for the relief of Edna Hickman, wife of Alexander D. Peck.June 28, 1848.
Vol. 9, p. 720.

Be it enacted, &c., That the title to two tracts of land, ten arpens front by forty deep, each, in all amounting to eight hundred acres, situated on the Bayou Bartholomew, in the parish of Morehouse, State of Louisiana, being a part of a Spanish grant to Baron de Bastrop, of date first June, seventeen hundred and ninety-seven, be, and the same is hereby, confirmed to Edna Hickman: *Provided*, That this act shall not be so construed as in any manner to confirm any part of said de Bastrop grant, save the two tracts, or to affect the rights of third persons in said two tracts hereby confirmed.

Title to two arpens of land in Louisiana confirmed to Edna Hickman.
Proviso.

No. 881.—AN ACT for the relief of Charles Cappel.Aug. 5, 1848.
Vol. 9, p. 729.

Be it enacted, &c., That Charles Cappel, of the parish of Avoyelles, State of Louisiana, his heirs and assigns, be forever confirmed in the title, use, and possession of all that certain tract, lot and parcel of land situate within the said parish of Avoyelles, at Marksville, in the prairie, and embraced within the grant of the Spanish Government to Noel Soileau, lying within section numbered twenty-seven, of township two north, of range four east, as described upon the plat of the public survey of the lands of the southwestern district of Louisiana, to wit: that tract occupied by the said Charles Cappel, containing two hundred superficial arpents, five arpents front by forty arpents deep, not heretofore confirmed to any other claimant.

Title of Charles Cappel to a certain tract of land in the parish of Avoyelles, Louisiana, confirmed.

SEC. 2. *Be it further enacted*, That the Secretary of the Treasury cause the said tract of two hundred superficial arpents to be surveyed, and a patent to issue to said Cappel, his heirs and assigns, for the same.

Tract to be surveyed and patent to issue.

Aug. 11, 1848.
Vol. 9, p. 735.

No. 882.—AN ACT for the relief of the heirs and widow of François Gramillion.

The claim of heirs and widow of François Gramillion to a tract of land confirmed.

Proviso.

Be it enacted, &c., That the claim of the widow and heirs of François Gramillion, to a tract of seventeen arpens front, by forty deep, in the parish of Avoyelles, Louisiana, be, and the same is hereby confirmed, according to a survey executed in February, eighteen hundred and twenty-six, by Kenneth McCrummen, deputy surveyor; and it shall be the duty of the Commissioner of the General Land Office to order an official survey to be returned for the said claim, conforming as near as may be to a survey made in February, eighteen hundred and twenty-six, by Kenneth McCrummen, accompanying the petition for confirmation; and upon the return to the General Land Office of an official survey, properly executed and certified, a patent shall issue: *Provided*, That the confirmation and patent shall only operate as a relinquishment of title on the part of the United States, and shall in no way prejudice any adverse rights which may exist to any part of the premises before such official survey shall be made.

Aug. 14, 1848.
Vol. 9, p. 741.

No. 883.—AN ACT for the relief of Frederic Durrive.

The title of Frederic Durrive to a tract of 165 11-100ths acres of land in Mississippi confirmed to him.

Other school lands to be selected.

Be it enacted, &c., That Frederic Durrive be, and he is hereby, confirmed in his purchase of lot number sixteen, in township number seventeen, of range number fifteen east, lying west of the Mississippi River, entered and paid for by him at the land office at New Orleans, containing one hundred and sixty-five acres and eleven-hundredths of an acre, and that a patent be issued to him therefor: *Provided, however*, That said Durrive shall first procure and file with the register of the district the assent in writing of the commissioners of schools, and a majority of the voters, in the township in which said land is situated, to such confirmation. (a)

SEC. 2. *And be it further enacted*, That if such patent shall be issued to said Durrive, in pursuance of the section aforesaid, then the register of the land office and receiver of public money in said district, under the direction of the Secretary of the Treasury, shall select and reserve for the use of schools in said township other lands in the same or adjoining township, of the same extent and quality with those described in the first section of this act. (b)

(a) See No. 898.

(b) See Nos. 418, 704, 708, 710, 832, 834, 835, 837, 841, 843, 853, 859, 884, 891, 894, 895, 903.

Jan. 8, 1849.
Vol. 9, p. 750.

No. 884.—AN ACT for the relief of Elisha Thomason.

Elisha Thomason allowed to complete his entry and purchase of a certain tract of land.

Proviso.

Other land to be reserved for schools in lieu thereof.

Be it enacted, &c., That Elisha Thomason is hereby permitted to complete his entry and purchase of the northeast quarter of section sixteen, in township fifteen, range five east, in the land district north of Red River: *Provided, however*, That said Thomason shall first procure and file with the register of the district the assent, in writing, of the commissioners of schools, and a majority of the free white adult male inhabitants of the township in which said land lies, to such entry and purchase.

SEC. 2. *And be it further enacted*, If such entry and purchase shall be made by said Thomason in pursuance of the section aforesaid, then the register of the land office and receiver of public money in said district, under the directions of the Secretary of the Treasury, shall select and reserve for the use of schools in said township, other land in the same or adjoining township, of the same extent and quality with those which said Thomason is hereby allowed to enter and purchase as aforesaid. (a)

(a) See Nos. 418, 704, 708, 710, 832, 834, 835, 837, 841, 843, 853, 859, 883, 891, 894, 895, 903.

Jan. 8, 1849.
Vol. 9, p. 751.

No. 885.—AN ACT for the relief of Simon Rodrigues.

Claim of Simon Rodrigues to a certain tract of land confirmed.

Be it enacted, &c., That the claim of Simon Rodrigues to his ancient settlement of four hundred arpens of land, situate in the parish of St. Tammany, in the State of Louisiana, or to so much thereof as can be located in accordance with the lines of public surveys, and without interference with preëxisting rights, or grants, or sales by the United States, be, and the same is hereby, confirmed.

SEC. 2. *And be it further enacted,* That if any portion of the ancient settlement aforesaid shall be covered by preëxisting rights, or grants, or sales by the United States, the said Simon Rodrigues shall be entitled to enter at the land office of the district within which the said ancient settlement is situate, such quantity of land, not more than equal to such deficit, as he may select, the same not being covered by a preëmption right, and subject to private entry.

If any portion of said land shall be covered by pre-existing rights or grants, he shall be allowed to enter other lands in lieu thereof.

SEC. 3. *And be it further enacted,* That the acceptance, by the said Simon Rodrigues, of the provisions of this act, entirely, or in part, shall be held as a full satisfaction of his said ancient claim, as in favor of the United States, as also in favor of conflicting claimants, if any such there be.

The acceptance by said Rodrigues of this act to be held as a full satisfaction of his claims.

No. 886.—AN ACT for the relief of James B. Davenport.

Jan. 10, 1849.
Vol. 9, p. 752.

Be it enacted, &c., That the titles to two tracts of land, situated in the parish of Moorhouse, and State of Louisiana, one containing three hundred and eighty arpents, being part of a large tract of land commonly known as the Baron de Bastrop grant, which was assigned and set off to the said James B. Davenport, in the partition of the real estate of his father, the late Josiah Davenport, deceased, by deed bearing date the fourth of March, one thousand eight hundred and ten; the other containing seven hundred and sixty-six acres of land, being part of a large tract commonly known as "The Bell Grove" tract, and which was conveyed by Richard Crampton to the said James B. Davenport, by deed bearing date the twenty eighth day of April, one thousand eight hundred and forty, be, and the same are hereby confirmed, so far as the United States have title thereto, to the said James B. Davenport, his heirs and assigns: *Provided,* That this act shall not be so construed as in any manner to confirm any part of the said De Bastrop grant, save the said two tracts, or to affect the rights of third persons in said two tracts hereby confirmed.

Titles to two tracts of land confirmed to James B. Davenport.

Proviso.

No. 887.—AN ACT for the relief of Anthony Bessee.

Jan. 10, 1849.
Vol. 9, p. 753.

Be it enacted, &c., That the surveyor-general of the State of Louisiana is hereby authorized and directed to locate for Anthony Bessee, in full satisfaction of his six hundred and forty acre confirmed settlement claim, in the parish of East Baton Rouge, Louisiana, the like area, according to the lines of the public surveys, upon any unappropriated land belonging to the United States in the Greensburgh land district, Louisiana, and, upon the return of a certificate of such location to the General Land Office, a patent shall issue to the said Bessee.

Surveyor-general of Louisiana to locate for Anthony Bessee 640 acres of public land.

Patent to issue.

No. 888.—AN ACT to confirm Elizabeth Burriess, her heirs, or assigns, in their title to a tract of land.

Jan. 10, 1849.
Vol. 9, p. 753.

Be it enacted, &c., That Elizabeth Burriess, her heirs, or assigns, be, and they are hereby, confirmed in their claim to a tract of land, containing six hundred and forty acres, situate in the Greensburgh land district, in the State of Louisiana, being the same on which the said Elizabeth Burriess resided on and previous to the third of March, eighteen hundred and nineteen, and confirmed by commissioner's certificate number two hundred and seven, dated the eighth day of November, eighteen hundred and nineteen, saving and reserving any and all previous confirmations, sales, or grants, made by the United States, conflicting with the said claim of said Elizabeth Burriess; and if any sales of all or a portion of said claim have been made by the United States, the said Elizabeth shall be entitled to select a quantity of land equal to the amount so sold by the United States, by legal subdivisions, elsewhere, within said land district.

Claim of Elizabeth Burriess to a certain tract of land confirmed.

No. 889.—AN ACT supplemental to the act approved the sixth day of July, eighteen hundred and forty-two, entitled "An act confirming certain land claims in Louisiana."

Jan. 19, 1849.
Vol. 9, p. 341.

Be it enacted, &c., That a further term of two years, from and after the passage of this act, be, and the same is hereby, conceded to locate the

Further time allowed to locate

a certain land claim named and alluded to in the third and sixth sections of the act to claim in Louisiana which this act is supplemental, and therein designated as claim number eight. (a)

(a) See Nos. 699, 701, 703, 704, 705, 708, 710, 712, 716, 718, 721, 722, 723, 724, 728, 731, 732, 737, 738, 739, 740, 745, 746, 749, 752, 753, 777, 790, 817, 819, 826, 852, 863, 864, 873, 899, 904, 911, 946, 956, 957, 961, 967.

Jan. 19, 1849.
Vol. 9, p. 754.

No. 890.—AN ACT for the relief of Marcus Fulton Johnson.

Be it enacted, &c., That whenever the Commissioner of the General Land Office shall be satisfied that the inhabitants of township number eighteen, of range thirteen east, in the Ouachita land district, have abandoned or relinquished their claim to lot or fractional section number thirty-three, in said township, as a selection for school purposes, then and thenceforth the said lot of land last named shall be open to the preëmption claim and location of the said Marcus Fulton Johnson, upon proper proof being made, as is required by existing laws.

Feb. 19, 1849.
Vol. 9, p. 762.

No. 891.—AN ACT for the relief of James P. Sexton and Joshua Holden.

Be it enacted, &c., That James P. Sexton is hereby permitted to complete his entry, and purchase a half quarter-section of land, situate in the land district north of Red River in the State of Louisiana, it being the east half of the southwest quarter of section sixteen, township fifteen, range five east; and Joshua Holden is also authorized to enter the west half of the same quarter-section.

J. P. Sexton and J. Holden allowed to complete their entries to certain tracts of school land.

SEC. 2. *And be it further enacted,* That it shall be the duty of the register of the land office and receiver of public moneys in the district aforesaid, under the direction of the Secretary of the Treasury, to select and reserve, for the use of schools in the aforesaid township, other lands of the same extent and quality within the same or the next adjoining township, in lieu of the quarter-section which the said Sexton and the said Holden are hereby permitted to purchase, and which embraces their improvements: *Provided,* That the said Sexton and the said Joshua Holden shall first obtain and file with the register of the district the assent thereto of the commissioners of schools of the parish in which the land lies, and of a majority of the free white male inhabitants of the township, over twenty-one years of age. (a)

Proviso.

(a) See Nos. 418, 704, 706, 710, 832, 834, 835, 837, 841, 843, 853, 859, 893, 884, 894, 895, 903.

Feb 19, 1849.
Vol. 9, p. 764.

No. 892.—AN ACT for the relief of Sarah D. Caldwell, wife of James H. Brigham.

Be it enacted, &c., That the title to two parcels of land,—one containing eight hundred and seventy-five arpens, the other one hundred and seventy-one arpens, being part of a tract of land known as the Baron de Bastrop, which is held by Sarah D. Caldwell, by regular chain of title from De Bastrop,—be confirmed to Sarah D. Caldwell, her heirs and assigns: *Provided,* That this act shall not be so construed as in any manner to confirm any part of said De Bastrop grants save the said two tracts, or to affect the rights of third persons in said two tracts hereby confirmed, or to be any thing more than a mere relinquishment of any title which the United States may have in said tracts of land.

Title of Sarah D. Caldwell to two tracts of land confirmed to her.

Proviso.

March 2, 1849.
Vol. 9, p. 352.

No. 893.—AN ACT to aid the State of Louisiana in draining the swamp lands therein.

Be it enacted, &c., That to aid the State of Louisiana in constructing the necessary levees and drains to reclaim the swamp and overflowed lands therein, the whole of those swamp and overflowed lands, which may be or are found unfit for cultivation, shall be, and the same are hereby, granted to that State.

Certain swamp lands granted to State of Louisiana.

SEC. 2. *And be it further enacted,* That as soon as the Secretary of the Treasury shall be advised, by the governor of Louisiana, that that State has made the necessary preparation to defray the expenses thereof, he shall cause a personal examination to be made, under the direction of

the surveyor-general thereof, by experienced and faithful deputies, of all the swamp lands therein which are subject to overflow and unfit for cultivation; and a list of the same to be made out, and certified by the deputies and surveyor-general, to the Secretary of the Treasury, who shall approve the same, so far as they are not claimed or held by individuals; and on that approval, the fee-simple to said lands shall vest in the said State of Louisiana, subject to the disposal of the legislature thereof: *Provided, however,* That the proceeds of said lands shall be applied exclusively, as far as necessary, to the construction of the levees and drains aforesaid. Proceeds of lands; how to be applied.

SEC. 3. *And be it further enacted,* That in making out a list of these swamp lands, subject to overflow and unfit for cultivation, all legal subdivisions, the greater part of which is of that character, shall be included in said list; but when the greater part of a subdivision is not of that character, the whole of it shall be excluded therefrom: *Provided, however,* That the provisions of this act shall not apply to any lands fronting on rivers, creeks, bayous, water-courses, &c., which have been surveyed into lots or tracts under the acts of third March, eighteen hundred and eleven, and twenty-fourth May, eighteen hundred and twenty-four: *And provided, further,* That the United States shall in no manner be held liable for any expense incurred in selecting these lands and making out the lists thereof, or for making any surveys that may be required to carry out the provisions of this act. How selection is to be made when only part of a subdivision is swamp land. Proviso as to land on bayous, &c. Proviso.

No. 894.—AN ACT for the relief of James G. Carson.

March 3, 1849.
Vol. 9, p. 776.

Be it enacted, &c., That James G. Carson be, and he is hereby, authorized and permitted to make and complete his purchase of lot numbered sixteen, of township numbered nineteen, of range thirteen east, in the district of lands north of Red River, subject to entry and sale at Ouachita, in the State of Louisiana, by paying at the said land office the sum of one dollar and twenty-five cents per acre for the same; and it is hereby made the duty of the United States officer at the said office to receive from him the said price, and issue to him a certificate therefor, upon which he shall be entitled to a patent, as in other cases of purchases of land from the Government. James G. Carson authorized to make and complete his purchase of a certain lot of land in the district of Ouachita, Louisiana.

SEC. 2. *And be it further enacted,* That the selection heretofore made, under the directions and approval of the Secretary of the Treasury, of lots numbered twenty-five, twenty-six, and twenty-seven, in said township nineteen, for the use of schools, in lieu of lot sixteen, be, and the same is hereby, confirmed. (a) Selections heretofore made in said district for use of schools, in lieu of lot 16, confirmed.

(a) See Nos. 418, 704, 708, 710, 832, 834, 835, 837, 841, 843, 853, 859, 883, 884, 891, 895, 903.

No. 895.—AN ACT for the relief of Sidney Flower, of Louisiana, and for other purposes.

March 3, 1849.
Vol. 9, p. 779.

Be it enacted, &c., That Sidney Flower be, and he is hereby, authorized to enter, at the minimum price of one dollar and twenty-five cents per acre, lot number three in township one (north) of range eight east, containing one hundred and fifty-nine and sixty-eight one hundred acres, in the district north of Red River, Louisiana: *Provided,* As said lot has been selected for schools, that a majority of the male inhabitants of the township shall assent to the purchase, by filing an instrument to that effect in the local land office. Sidney Flower authorized to enter 159 68-100 acres of land in Louisiana. Proviso.

SEC. 2. *And be it further enacted,* That upon such an instrument being filed in the aforesaid office, the proper authorities shall have the right to select an equal area for schools on other public lands, in the same land district. (a) Other school lands to be selected in lieu thereof.

(a) See Nos. 418, 704, 708, 710, 832, 834, 835, 837, 841, 843, 853, 859, 883, 884, 891, 894, 903.

No. 896.—AN ACT for the relief of Amelia Couvillion, of Louisiana.

March 3, 1849.
Vol. 9, p. 789.

Be it enacted, &c., That Mrs. Amelia Couvillion, wife of Zenen St. Romain, be, and she is hereby, authorized to enter as a preëmption, and at the minimum price of public lands, the area, in legal subdivisions of one quarter-section, so as to embrace her present actual settlement and Amelia Couvillion authorized to enter as a

pre-emptionacer-
tain tract of land
in Louisiana.

"a certain improvement on a piece of public land, situated in the parish of Avoyelles, on Bayou des Glaisses," in the State of Louisiana, it appearing from an official certificate, dated the sixteenth of October, eighteen hundred and forty-eight, of the recorder of said parish, that the said Mrs. Amelia Convillion became the purchaser at sheriff's sale of all the right, title, and interest of her said husband in the aforesaid improvement: *Provided, however,* That the right hereby allowed be subject to any valid adverse claim, if such exist, to any part of the land.

Jan 27, 1851.
Vol. 9, p. 565.

No. 897.—AN ACT to grant the right of preëmption to certain purchasers and settlers on the "Maison Rouge grant," in the event of the final adjudication of the title in favor of the United States.

Certain pur-
chasers under the
Maison Rouge
grant author-
ized, in case the
title of the Unit-
ed States is con-
firmed, to enter
the land pur-
chased by them.

Be it enacted, &c., That in the event of a final adjudication by the court in favor of the United States, on the "Maison Rouge grant," under the act of Congress, approved seventeenth June, eighteen hundred and forty-four, entitled "An act to provide for the adjustment of land claims within the States of Missouri, Arkansas, and Louisiana, and in those parts of the States of Mississippi and Alabama south of the thirty-first degree of north latitude, and between the Mississippi and Perdido rivers," every person, his heirs, or legal representatives, who, prior to the first March, eighteen hundred and forty-nine, purchased land in good faith; and for a valuable consideration, from Daniel W. Coxe, or other persons holding titles derived under the said Maison Rouge grant, on the Ouachita River, in the State of Louisiana, and who has improved and cultivated the land so purchased, or any part of it, shall be, and he is hereby, authorized to enter, with the register of the land office for the district in which said land may be, as nearly as practicable by legal subdivisions, the whole or any portion of the tract or tracts so purchased, to include the residence and improvement, upon paying to the United States the minimum price of public lands.

Notice to be
given of such
right of pre-emp-
tion.

SEC. 2. *And be it further enacted,* That in the event of such final adjudication, it shall be the duty of the register of the proper district to publish a notice of the fact in some newspaper circulating in the vicinity of the land, with a declaration of the readiness of the land office to receive preëmption applications under this act, and thereupon every person claiming a right of preëmption under this act shall be allowed twelve months within which to enter and pay for the land so claimed, from and after the date of the first public advertisement, and in conformity with such instructions as may be given by the Commissioner of the General Land Office: *Provided,* That notice, specifying the particular tracts so claimed, shall be given within three months after such first advertisement, to the register, of the intention of the claimant to make such purchase of the United States, and that no sale or entry shall be permitted to land within the limits of the aforesaid Maison Rouge claim until the expiration of the aforesaid three months, and the lands embraced in the aforesaid notices or preëmption applications shall not be liable to sale to other persons as public lands, unless, after the expiration of the aforesaid term of twelve months, it shall be found that no preëmption under this act shall have been established to the same.

Twelve months
allowed to enter
and pay.

Proviso as to
notice of inten-
tion.

Provision for
the case of two
persons entitled
to enter the same
subdivision.

SEC. 3. *And be it further enacted,* That if the residence and improvements of two or more persons entitled to preëmption as aforesaid shall be found on any one of the smallest legal subdivisions of the public lands, the same may be entered jointly by the parties in order that they may secure and divide the same, according to their several rights, and in default of one or more of the parties taking the proper steps within the time prescribed, to secure the benefit of this act, it shall be lawful for any one of the parties of this class to make the entry of the whole of such legal subdivision for his sole benefit. (a)

(a) See Nos. 704, 708, 710, 720, 722, 729, 730, 731, 732, 761, 768, 786, 813, 818, 849, 858, 860, 899, 919, 920, 928, 963.

Feb. 14, 1851.
Vol. 9, p. 809.

No. 898.—AN ACT to amend and act entitled "An act for the relief of Frederic Durrie," approved August fourteen, eighteen hundred and forty-eight.

Proviso in for-
mer act repealed.

Be it enacted, &c., That the proviso contained in the first section of the above-entitled act be, and the same is hereby, repealed. (a)

(a) See No. 883.

No. 1399.—AN ACT for the settlement of certain classes of "private land claims" within the limits of the "Baron de Bastrop grant," and for allowing preëmptions to certain actual settlers, in the event of the final adjudication of the title of the said De Bastrop in favor of the United States.

March 3, 1851.
Vol. 9, p. 597.

Be it enacted, &c., That in the event of a final adjudication by the court in favor of the United States, on the "Baron de Bastrop" claim in Louisiana, under the act of Congress, approved on the seventeenth June, one thousand eight hundred and forty-four, entitled "An act to provide for the adjustment of land claims within the States of Missouri, Arkansas, and Louisiana, and in those parts of the States of Mississippi and Alabama south of the thirty-first degree of north latitude, and between the Mississippi and Perdido rivers," the register and receiver for the Ouachita land district, Louisiana, shall give public notice of the fact in some newspaper circulating in the vicinity of the land, and within twelve months from and after the date of the first publication of such notice, it shall and may be lawful for any original claimants of the classes hereinafter mentioned in this section of the present act, their heirs or legal representatives, to file with the aforesaid register and receiver notices descriptive of their claims, and specifying their precise localities and area, with the testimony in support of the same.

In the event of an adjudication in favor of the United States respecting the "Baron De Bastrop" claim, notice to be given, and claimants allowed to file notices.

First: All bona-fide claimants by purchase from De Bastrop, or those holding under him, where the land has been occupied and cultivated for twenty years. **Classes of claimants.**

Second: All bona-fide claimants of "head rights," for not exceeding six hundred and forty acres, their heirs or legal representatives, where the original claimant came over and settled the land under the contract between the Spanish Government and De Bastrop, even though the land was not actually sold or conveyed to such original claimants by the said De Bastrop.

Third: All bona-fide claimants for not exceeding six hundred and forty acres, as actual settlers prior to the twentieth December, eighteen hundred and three, where they have held such continued possession as to show that they identified themselves with the ownership of the land.

SEC. 2. *And be it further enacted,* That after the expiration of the twelve months aforesaid, it shall be the duty of the register and receiver, pursuant to such instructions as may be given by the Commissioner of the General Land Office, to make a report with the notices, and all the testimony, to the General Land Office, specifying all such cases as in their opinion came within the principles recognized under the several heads mentioned in the foregoing section, and which according to those principles ought to be confirmed, and such as in their opinion ought to be rejected.

After twelve months, a report to be made respecting the merits of said claims.

SEC. 3. *And be it further enacted,* That it shall be the duty of the Commissioner of the General Land Office to lay the report aforesaid before Congress for final action thereon, and all claims recommended for confirmation shall be reserved from sale until the final action of Congress on the report aforesaid, and all claims reported as rejected shall be treated as other public lands.

Report to be laid before Congress.

Claims recommended for confirmation to be reserved from sale.

SEC. 4. *And be it further enacted,* That the claims numbers forty, forty-four, forty-five, forty-six, forty-seven, forty-eight, and fifty-one, favorably reported on by Daniel J. Sutton, as register for the district north of Red River, Louisiana, and entered in the first class of his report, dated first January, eighteen hundred and twenty-one, but on account of being within the limits of the Bastrop grant, have been excluded from the confirmatory provisions of the second section of the act of Congress, approved February twenty-eight, eighteen hundred and twenty-three, entitled "An act supplementary to the several acts for the adjustment of land claims in the State of Louisiana," be, and the same shall be held confirmed, in the event of the final adjudication of the Bastrop claim in favor of the United States as aforesaid: *Provided,* That this confirmation shall only operate as a relinquishment of title on the part of the United States, and shall in no way prejudice or affect any sale, or other right existing at the time when the survey shall be executed, of the claims hereby conditionally confirmed; and in the event of the final adjudication of the Bastrop grant as aforesaid, and upon the return of approved plats of survey for the claims specified in this section, relinquishment patents shall be issued as in other cases. (a)

Those reported as rejected to be treated as other public lands.

Claims 40, 44, 45, 46, 47, 48, and 51, favorably reported on by Daniel J. Sutton, confirmed in the event of an adjudication in favor of the United States.

Confirmation to operate only as a relinquishment of title.

Patents to issue.

SEC. 5. *And be it further enacted,* That in the event of a final adjudication, in favor of the United States, of the Bastrop claim, as contemplated by the first section of this act, every bona fide settler on any part of said land, at the time of the extension of the public surveys over

Pre-emption right given to certain settlers on said claim.

the same, who is a man of family, widow, or single man over twenty-one years of age, and an actual housekeeper thereon, and who, but for the reservation heretofore made of said land for the claim of the said Bastrop, would have been entitled to a right of preëmption under some one of the preëmption laws, be, and he is hereby authorized to enter the quarter-section so resided on, or by adjoining legal subdivisions, so as to include his residence and land cultivated or improved, any number of acres not to exceed one hundred and sixty acres, upon making

Proof to be made within one year after surveys are extended over said land. after the public surveys are so extended over said land. (b)

(a) See Nos. 699, 701, 703, 704, 705, 708, 710, 712, 716, 718, 721, 722, 723, 724, 728, 731, 732, 737, 738, 739, 740, 745, 746, 749, 752, 753, 777, 790, 817, 819, 828, 852, 863, 864, 873, 889, 904, 911, 946, 956, 957, 961, 967.

(b) See Nos. 704, 708, 710, 720, 722, 729, 730, 731, 732, 761, 768, 786, 813, 818, 849, 858, 860, 897, 919, 920, 928, 963.

Jan. 22, 1853.
Vol. 10, p. 745.

No. 900.—AN ACT for the relief of the heirs of William McFarland, deceased.

Certain land released to the heirs of William McFarland.

Proviso.

Be it enacted, &c., That any interest which the United States may have in and to a certain tract of land situate in township five, south of range one west, in section three, in the Greensburg land district, in the State of Louisiana, and which tract is laid down in the transcript plat in the General Land Office, in the names of McFarland and Mallard, as though confirmed, is hereby released to the lawful heirs of William McFarland, of the parish of East Baton Rouge in said State of Louisiana: *Provided, however,* That nothing in this act shall take away, impair, impede or affect in any way any right, title, interest, claim or recovery of any person or persons whatsoever claiming, or to claim said land.

Feb. 9, 1853.
Vol. 10, p. 752.

No. 901.—AN ACT for the relief of C. L. Swayze, in relation to the location of certain Choctaw scrip.

Location of Choctaw scrip, by C. L. Swayze, to be approved.

Proviso.

Be it enacted, &c., That the Commissioner of the General Land Office be, and he is hereby authorized and required to approve the location of certain Choctaw scrip, made at the land office at Opelousas, Louisiana, by C. L. Swayze, on the sixth day of August, anno Domini, one thousand eight hundred and forty-nine, embracing thirteen certificates, located in township four south, range six east, as per entries thereof: *Provided,* That nothing in this act contained shall operate further than to relinquish the interest of the United States in said land.

March 3, 1853.
Vol. 10, p. 766.

No. 902.—AN ACT for the relief of Maria Taylor.

Mrs. Maria Taylor confirmed in the title to certain land.

Proviso.

Proviso.

Be it enacted, &c., That Mrs. Maria Taylor, wife of William R. Taylor, of the parish of Ascension, State of Louisiana, claiming in her own right a certain tract of land situated in the parish of Ascension aforesaid, near its upper limits, on the left bank of the river Mississippi, containing eleven and a half arpents front by forty in depth, bounded above by the land of late Jean Louis Parent, and below by the land of late Pierre Prospere, together with the tract immediately adjacent to and back of said front tract, containing a front of twelve arpents, by forty additional arpents depth, with such diverging of the lateral lines as to embrace an area of five hundred acres, be and she is hereby, confirmed in the title thereto: *Provided,* That this act shall only be construed as a relinquishment of the Government of all claim to said tract of land: *And provided also,* That this act shall not operate against the claim of any third person to said tract of land.

April 20, 1854.
Vol. 10, p. 779.

No. 903.—AN ACT for the relief of John Gusman, of Louisiana.

Claim of John Gusman to certain lands confirmed.

Be it enacted, &c., That the claim of John Gusman, under an ancient purchase of the interest of one Rialleux, and in virtue of ancient and continued possession for more than a third of a century, be, and the same is hereby, confirmed to a certain tract of land, fronting, on the north, the Bayou Bonfouca, in township nine south, of range fourteen

east, in the Greensburg land district, Louisiana, and embracing fractions of sections nine, ten, fifteen, seventeen, eighteen, nineteen, twenty, twenty-three, twenty-six, twenty-seven, twenty-eight, thirty-two, and thirty-three, and sections sixteen, twenty-one, and twenty-two, according to a survey executed by one Joseph Troskolowski, as represented on a plat accompanying the petition of the said Gusman, it being the intent of this act to recognize the claim of the said Gusman to all of the said land referred to, embracing the school section: *Provided*, The school authorities accede to the same, and will take other land in lieu of said school section, which they are hereby authorized to do: *And provided further*, That this act shall only operate as a relinquishment forever on the part of the United States to the said lands, and shall not interfere with adverse valid rights of others, if such exist, to any part of the land embraced in the claim and survey aforesaid. (a)

(a) See Nos. 418, 704, 708, 710, 832, 834, 835, 837, 841, 843, 853, 859, 883, 884, 891, 894, 895.

No. 904.—AN ACT confirming certain land claims in Louisiana, in the Bastrop grant.

June 29, 1854.
Vol. 10, p. 299.

Be it enacted, &c., That such of the claims entered in the report dated thirtieth of July, eighteen hundred and fifty-two, of the register and receiver at Monroe, Louisiana, as in their opinion ought to be confirmed, according to the principles recognized in the act of Congress of the third March, eighteen hundred and forty-one, pursuant to which the said report was made, be, and the same are hereby, confirmed for the extent and under the limitations referred to in the opinions of the said officers.

The confirmation of such land claims as in the opinion of the register and receiver at Monroe ought to be confirmed.

SEC. 2. *And be it further enacted*, That the confirmation by this act shall only operate as a relinquishment on the part of the United States, and shall not affect the right of adverse claimants to the same lands, nor prevent a judicial decision in regard to the same; and upon the rendition to the General Land Office of a proper plat of survey, duly approved by the surveyor-general, for any confirmation by this act, the Commissioner shall cause a patent to be issued, if satisfied that the same is confirmed and surveyed according to the true intent of this act: *Provided*, That if in any case a claim confirmed by this act was not actually located prior to the third of March, eighteen hundred and fifty-one, no location of the same shall be made to the prejudice of any actual settler, but such floating claim may be located on any public lands in the Ouachita district, to which there may be no existing preëmption or other valid claim, under such regulations as may be prescribed by the Commissioner of the General Land Office. (a)

How far the confirmation extends.

When patent to be issued.
Proviso.

(a) See Nos. 699, 701, 703, 704, 705, 708, 710, 712, 716, 718, 721, 722, 723, 724, 728, 731, 732, 737, 738, 739, 740, 745, 746, 749, 752, 753, 777, 790, 817, 819, 826, 852, 863, 864, 873, 889, 899, 911, 946, 956, 957, 961, 967.

No. 905.—AN ACT to confirm the Claim of William H. Henderson, and the heirs of Robert Henderson, to five hundred acres of land in the Bastrop grant.

July 17, 1854.
Vol. 10, p. 784.

Be it enacted, &c., That William H. Henderson and the heirs of Robert Henderson, of the parish of Morehouse, State of Louisiana, be, and they are hereby, confirmed in their claim to five hundred acres of land in the prairie of Jefferson, on which the said heirs reside, as represented in the report of the register and receiver of the land office at Monroe, in their report of the thirtieth of July, eighteen hundred and fifty-two, and that a patent issue to them after a legal survey duly returned: *Provided*, That this act shall be construed only as a relinquishment of title on the part of the United States, and shall not affect the claims of other persons to the same, if any.

William H. Henderson's and heirs of Robert Henderson's claim to land confirmed.

Patent for same to issue.
Proviso.

No. 906.—AN ACT for the relief of A. B. Roman, of Louisiana.

July 17, 1854.
Vol. 10, p. 785.

Be it enacted, &c., That A. B. Roman, of the parish of St. James, and State of Louisiana, be, and he is hereby, confirmed in all the right, title, and interest, now held or possessed by the United States in and to the following lands, now in his occupation, to wit: eighteen arpens front on the right bank of the Mississippi River, and running back to the stream or bayou called Icetamon, in said parish, being part of a French grant made to Nicholas Verret in seventeen hundred and sixty-five; and also nine arpents and six toises front, adjoining the first-described tract, with

All the right, &c. the United States have in certain lands confirmed to A. B. Roman.

Proviso.

Patent to be
issued for said
lands.

the depth of forty arpents, for the nine arpents and six toises front, the said last described tract consisting of two complete grants made by the Spanish Government to Joseph Herbert and Jean Baptiste Cormie on the twenty-seventh of September, seventeen hundred and seventy-three, and the two tracts so described containing seven thousand four hundred and thirty-eight acres of land: *Provided*, That this act shall only be construed to vest in the said A. B. Roman the rights, title, and interest, in said lands now held and possessed by the United States, and shall not be construed in any way to impair the bona-fide rights, interests, or claims, acquired by any other person under adverse grants, concessions, or purchases, made prior to the passage of this act.

SEC. 2. *And be it further enacted*, That a patent be, and the same is hereby, directed to be issued to the said A. B. Roman for the lands described in this act.

No. 907.—AN ACT for the relief of Richard King.

July 27, 1854.
Vol. 10, p. 796.

Richard King's
title to 240 ar-
pents of land
confirmed.

Patent to is-
sue.

Proviso.

Be it enacted, &c., That Richard King be, and he is hereby, confirmed in his title to two hundred and forty arpents of land on the eastern bank of the Ouachita River, in the parish of Caldwell, State of Louisiana, which was conveyed by the claimant of the Maison Rouge grant to Bagwell Baily, in eighteen hundred and eighteen, for cutting a road through said grant, and has remained in the possession of, and in cultivation by, said Baily and his successors, to the present time, and is now a part of the plantation of said King, on which he has resided for many years; and that a patent issue to him for it, after a legal survey is made and returned, under the direction of the surveyor-general: *Provided*, That this act shall amount only to a relinquishment of title on the part of the United States.

July 27, 1854.
Vol. 10, p. 800.

The claim of
the heirs, &c., of
Charles J. B.
Fleuriau to a cer-
tain tract of land
confirmed.

Patent to issue.
Proviso.

No. 908.—AN ACT confirming a certain land claim in Louisiana known as the Fleuriau claim.

Be it enacted, &c., That the heirs, assigns, and legal representatives of Charles J. B. Fleuriau, or Floriau, be, and they are hereby, confirmed in their claim to a tract of land described in a petition or request addressed by Joseph Villars Dubreuil to the governor and commissary of marine of the province of Louisiana, on the first day of June, seventeen hundred and sixty-three, as the same was surveyed by A. F. Richter, a deputy surveyor, in the year eighteen hundred and thirty-nine, and certified by H. T. Williams, surveyor-general of the State of Louisiana, on the fourteenth of December, eighteen hundred and thirty-nine, and for the full extent of the land embraced in said surveys; and that a patent shall issue therefor: *Provided*, That this act shall be held and taken only as a relinquishment on the part of the United States.

July 29, 1854.
Vol. 10, p. 802.

Said academy's
title to certain
lands in Louisi-
ana confirmed.

When patent
to be issued.
Proviso.

No. 909.—AN ACT for the relief of the Pine Grove Academy, in Louisiana.

Be it enacted, &c., That the president, directors, and trustees, of the Pine Grove Academy, in the parish of Caldwell, Louisiana, be, and they are hereby, confirmed in their title to the lot of forty acres of land on which said academy is situated, near Columbia, donated to them by Hyams, Chew, and McCoy, claiming under the Maison Rouge grant, in eighteen hundred and thirty-nine, as more particularly described in the act of donation; and that the said president, directors, and trustees, be also, and they are hereby, confirmed in their title to a certain tract or parcel of land, situated in said parish of Caldwell, with about one mile front on the west bank of the Ouachita River, and running west between five and six miles, and known as lot number twenty-three, in the plat number one, of the Maison Rouge grant, surveyed by John Dinsmore, a deputy surveyor of the United States, containing about four thousand acres, donated to them by Daniel W. Coxe, one of the claimants of said grant, in eighteen hundred and thirty-nine, and that patents be issued to them for said lands, after a legal survey, under the instructions of the surveyor-general of Louisiana: *Provided*, That this act shall amount only to a relinquishment of title on the part of the United States, and that it shall not be construed to interfere in any manner with the rights of settlers on said lands at the date of this act.

No. 910.—AN ACT for the relief of A. G. Penn.Aug. 1, 1854.
Vol. 10, p. 806.

Be it enacted, &c., That A. G. Penn, of the parish of St. Tamany, Louisiana, be, and he is hereby, authorized to enter, by way of preëmption, the southwest quarter of section twenty-three, township six south, of range ten east, in the Greensburg land district, State of Louisiana, upon his paying therefor, to the proper officer of the land office, the sum of one dollar and twenty-five cents per acre: *Provided, however,* That this act shall not be so construed as to interfere with any adverse claim to the land hereby authorized to be purchased, if any such there be.

A. G. Penn authorized to enter, by way of preëmption, a certain quarter of land upon paying \$1.25 per acre.
Proviso.

No. 911.—AN ACT to revive the act approved March third, eighteen hundred and twenty-three, and the act approved May twenty-sixth, eighteen hundred and twenty-four, supplemental thereto, in reference to the Rio Hondo claims to land in Louisiana.Aug. 3, 1854.
Vol. 10, p. 347.

Be it enacted, &c., That the act approved March third, eighteen hundred and twenty-three, entitled "An act providing for the examination of the titles to land in that part of the State of Louisiana situated between the Rio Hondo and the Sabine River," and the act approved May twenty-sixth, eighteen hundred and twenty-four, entitled "An act supplementary to an act providing for the examination of titles to land in that part of the State of Louisiana situated between the Rio Hondo and the Sabine," be, and the same are hereby, revived for and during the space of two years from the promulgation of this act. (a)

The act of March 3, 1823, and the act of May 26, 1824, revived for two years, from the promulgation of this act.

SEC. 2. *And be it further enacted,* That the register and receiver at Natchitoches shall, severally, receive, as a full compensation for the duties required of them by the acts herein revived, the sum of fifty dollars, whenever they shall have finished the business required of them by the acts herein revived, and shall forward their reports to the Secretary of the Treasury.

Compensation of the register and receiver at Natchitoches for their duties under the above acts.

(a) See Nos. 699, 701, 703, 704, 705, 708, 710, 712, 716, 718, 721, 722, 723, 724, 728, 732, 737, 738, 739, 740, 745, 746, 749, 752, 753, 777, 790, 817, 819, 826, 852, 863, 864, 873, 889, 899, 904, 946, 956, 957, 961, 967.

No. 912.—AN ACT for the relief of John McVea and John F. McKneely, of Louisiana.Aug. 3, 1854.
Vol. 6, p. 814.

Be it enacted, &c., That upon the return to the land office at Greensburg, Louisiana, of plats of surveys, duly approved by the surveyor-general, of township three south, of range one west, and township three south, of range one east, it shall and may be lawful for John McVea and John F. McKneely to enter, at one dollar and twenty-five cents per acre, the one thousand acre tract or parcel of land which they have long held in possession and cultivation, and which is represented as covering parts of sections one, two, eleven, and twelve, in township three south, of range one west, and parts of sections six, seven, thirteen, and eighteen, of township three south, of range one east, in the Greensburg land district, Louisiana: *Provided,* That the entry shall be made of the quantity aforesaid, according to the legal subdivisions of the public lands, and shall embrace the quantity aforesaid and the land actually cultivated and enclosed by them, as near as may be: *And provided, further,* That the entry or entries made under the provisions of this act, shall not be to the prejudice of any valid adverse rights, if any such exist, to any part of the land aforesaid.

John McVea and John F. McKneely, to enter certain land which they have held in possession upon certain conditions.

Proviso.

Further proviso.

No. 913.—AN ACT for the relief of the legal representatives of Charles Pavie.Aug. 5, 1854.
Vol. 10, p. 824.

Be it enacted, &c., That the Commissioner of the General Land Office be, and he is hereby, authorized and required to correct the error in the description of the claim for land by Charles Pavie (number thirty-seven) in the report of the register and receiver of the land office at Ouachita, Louisiana, dated July twenty-fourth, eighteen hundred and thirty-seven, and confirmed by the act entitled "An act confirming certain land claims in Louisiana," approved July sixth, eighteen hundred and forty-two, and to have the same located on the south or right side of Red River descending, not exceeding the quantity claimed and confirmed as aforesaid: *Provided,* That this is only to operate as a quit-claim on the part of the United States.

Error in land claim of Charles Pavie to be corrected.

Aug. 5, 1854.
Vol. 10, p. 824.

No. 914.—AN ACT for the relief of the legal heirs of Benjamin Metoyer.

Benj. Metoyer authorized to enter certain land for heirs of Benj. Metoyer.

Patents to issue for lands heretofore confirmed to them.

Be it enacted, &c., That Benjamin Metoyer, of Natchitoches Parish, of Louisiana, be authorized to enter for himself and the other heirs of Benjamin Metoyer, deceased, [as] near as may be by legal subdivisions, one hundred and twenty-three and twelve one-hundredths acres of land, out of any public lands belonging to the United States.

SEC. 2. *And be it further enacted,* That the Commissioner of the Land Office be authorized to issue to the said heirs and legal representatives, patents for the lands heretofore confirmed to them or those under whom they claim by acts of Congress.

Aug. 5, 1854.
Vol. 10, p. 825.

No. 915.—AN ACT for the relief of Robert F. McGuire and Louisa, his wife, late Louisa Lamy.

R. F. and L. McGuire, confirmed in their title to a certain tract of land.

. *Provided.*

Be it enacted, &c., That Robert F. McGuire, and Louisa McGuire, his wife, late Louisa Lamy, be, and they are hereby, confirmed, in their title to a certain tract of land, in the State of Louisiana, containing four hundred arpents, situate in and being a part of the "Baron de Bastrop grant," being the same tract to which the said McGuire and wife derived their title from the conveyance of A. Morehous, dated seventeenth April, eighteen hundred and nine: *Provided,* That this act shall be considered only as a relinquishment of title on the part of the United States to the said tract, and not prejudice the rights of third persons.

Jan. 12, 1855.
Vol. 10, p. 839.

No. 916.—AN ACT for the relief of the heirs and representatives of Uriah Prewitt, deceased.

Heirs and representatives of Uriah Prewitt authorized to locate 424 acres in Louisiana.

Patent to issue.

Be it enacted, &c., That the heirs and legal representatives of Uriah Prewitt, deceased, be, and they are authorized to locate on any unappropriated public lands in the State of Louisiana, the quantity of four hundred and twenty-four acres; and on obtaining a proper certificate of such location, from the local land office, under the instructions of the Commissioner of the General Land Office, a patent shall issue to them.

Jan. 12, 1855.
Vol. 10, p. 839.

No. 917.—AN ACT for the relief of the heirs and legal representatives of William Weeks.

Land claim confirmed to heirs and representatives of William Weeks.

Be it enacted, &c., That the heirs and legal representatives of William Weeks be, and they are hereby, confirmed in their claim to a tract of land, containing two thousand and thirty arpens, situated in the parish of West Feliciana, State of Louisiana, being the same granted to said William Weeks, by an order of survey of "Grand Pre," then governor of West Florida, on the thirty-first day of May, one thousand eight hundred and six, according to the survey made by Ira C. Kneeland, deputy-surveyor, under commission from said governor, on the twenty-second day of September, one thousand eight hundred and six, of record in the office of the register of the land office at Greensburg, Louisiana, and a patent shall issue therefor: *Provided,* That this act shall be held and taken only as a relinquishment on the part of the United States.

Jan. 12, 1855.
Vol. 10, p. 841.

No. 918.—AN ACT for the relief of Francois Cousin.

Francois Cousin confirmed in a certain land title in Louisiana.

Patent to issue.

Be it enacted, &c., That Francois Cousin be, and he is hereby, confirmed in his title to all those parts of sections twenty, twenty-one, twenty-two, twenty-three, twenty-four, twenty-five, twenty-six, twenty-seven, twenty-eight, twenty-nine, thirty-five, and thirty-six, in township eight south, of range twelve east, which are included within the limits of the original claim of the said Francois Cousin, filed before the commissioner to adjust private land claims in Louisiana; also, all that parcel of land described as section forty, in township eight south, of range twelve east, and section thirty-seven, in township eight south, of range thirteen east, all being in the parish of St. Tammany, and State of Louisiana.

SEC. 2. *And be it further enacted,* That the Commissioner of the General Land Office shall issue a patent or patents to the said Francois Cousin for the lands above confirmed.

No. 919.—AN ACT extending, in certain cases, the provisions of the act entitled "An act to extend preëmption rights to certain land therein mentioned," approved March third, eighteen hundred and fifty-three.

March 2, 1855.
Vol. 10, p. 626.

Be it enacted, &c., That the right of preëmption granted by the act of third March, eighteen hundred and fifty-three, entitled "An act to extend preëmption rights to certain lands therein mentioned," shall be, and the same is hereby extended so that the settler, or occupant on the Maison Rouge grant and the De Bastrop grant, entitled to the benefits of said act, shall be entitled to enter, at the minimum price, every quarter quarter subdivision, on which he has made improvements: *Provided, however,* That where any part of the improvements of two or more settlers or occupants is on the same quarter quarter-section, the same shall be entered in their joint names, and their rights shall be proportionate to the extent and value of their improvements thereon. (a)

Pre-emption rights in Maison Rouge grant and De Bastrop grant.

(a) See Nos. 704, 708, 710, 720, 722, 729, 730, 731, 732, 761, 762, 786, 813, 818, 849, 858, 860, 897, 899, 920, 928, 963.

No. 920.—AN ACT making a grant of lands to the State of Louisiana, to aid in the construction of railroads in said State.

June 3, 1856.
Vol. 11, p. 18.

Be it enacted, &c., That there be and is hereby granted to the State of Louisiana, for the purpose of aiding in the construction of a railroad from the Texas line, in the State of Louisiana, west of the town of Greenwood; via Greenwood, Shreveport, and Monroe, to a point on the Mississippi River, opposite Vicksburg; and from New Orleans by Opelousas, to the State line of Texas; and from New Orleans to the State line, in the direction to Jackson, Mississippi; every alternate section of land designated by odd numbers, for six sections in width on each side of said road. But in case it shall appear that the United States have, when the line or route of said road is definitely fixed, sold any sections, or any parts thereof, granted as aforesaid, or that the right of preëmption has attached to the same, then it shall be lawful for any agent or agents, to be appointed by the governor of said State, to select, subject to the approval of the Secretary of the Interior, from the lands of the United States, nearest to the tier of sections above specified, so much in alternate sections, or parts of sections, as shall be equal to such lands as the United States have sold, or otherwise appropriated, or to which the right of preëmption has attached as aforesaid; which lands (thus selected in lieu of those sold, and to which preëmption rights have attached as aforesaid, together with the sections and parts of sections designated by odd numbers as aforesaid, and appropriated as aforesaid,) shall be held by the State of Louisiana for the use and purpose aforesaid: *Provided,* That the lands to be so located shall in no case be further than fifteen miles from the line of said roads and selected for and on account of said road: *Provided further,* That the lands hereby granted shall be exclusively applied in the construction of said roads, and shall be disposed of only as the work progresses, and the same shall be applied to no other purpose whatsoever: *And provided further,* That any and all lands heretofore reserved to the United States by any act of Congress, or in any other manner by competent authority, for the purpose of aiding in any object of internal improvement, or for any other purpose whatsoever, be, and the same are hereby, reserved to the United States from the operation of this act, except so far as it may be found necessary to locate the route of said railroads through such reserved lands, in which case the right of way only shall be granted, subject to the approval of the President of the United States. (a)

Grant of land to Louisiana for a railroad.

Grant in lieu of lands pre-empted or sold.

Land, how applied.

Act not to apply to reservations except as to right of way.

SEC. 2. *And be it further enacted,* That the sections, and parts of sections, of land which, by such grant, shall remain to the United States, within six miles on each side of said roads, shall not be sold for less than double the minimum price of the public lands when sold; nor shall any of said lands become subject to private entry until the same have been first offered at public sale at the increased price. (b)

Price of alternate sections doubled.

SEC. 3. *And be it further enacted,* That the said lands hereby granted to the said State, shall be subject to the disposal of the legislature thereof, for the purposes aforesaid, and no other; and the said railroads shall be and remain a public highway for the use of the Government of the United States, free from toll or other charge, upon the transportation of any property or troops of the United States.

Object of grant. Railroads to be a public highway for Government.

Lands, how disposed.

SEC. 4. *And be it further enacted*, That the lands hereby granted to said State, shall be disposed of only in manner following; that is to say, that a quantity of land not exceeding one hundred and twenty sections, and included within a continuous length of twenty miles of said roads, may be sold; and when the governor of said State shall certify to the Secretary of the Interior that any twenty continuous miles of said roads are completed, then another like quantity of land hereby granted may be so sold; and so, from time to time, until said roads are completed; and if said roads are not completed within ten years, no further sale shall be made, and the lands unsold shall revert to the United States. (a)

Transportation of mails.

SEC. 5. *And be it further enacted*, That the United States mail shall be transported over said roads under the direction of the Post Office Department, at such price as Congress may, by law, direct: *Provided*, That until such price is fixed by law, the Postmaster-General shall have the power to determine the same.

(a) See Nos. 822, 828, 829, 924, 962, 964, 966.

(b) See Nos. 704, 708, 710, 720, 722, 729, 730, 731, 732, 761, 768, 786, 813, 818, 849, 858, 860, 897, 899, 919, 928, 963.

August 6, 1856.
Vol. 11, p. 455.

NO. 921.—AN ACT for the relief of Cephise Piseros, widow of Louis Labranche, of the parish of St. Charles, and State of Louisiana.

Cephise Piseros confirmed in a land claim in the parish of St. Charles, La.

Be it enacted, &c., That Cephise Piseros, as heir at law of Jean Francois Piseros, deceased, be, and she is hereby, confirmed in her title to a tract of land in the Parish of St. Charles, and State of Louisiana, situate on the left bank of the Mississippi River, of about four arpents in front, with a depth of forty arpents, bounded on the north by the claim of Jean Francois Piseros, designated as "number eighty-eight" in the report of the board of commissioners for the eastern district of the Territory of Orleans, and on the south by the lands of Adelard Fortier, designated as claim number "four hundred and eighty-eight" by the register and receiver of the land office for the eastern district of Louisiana, in their report of March twenty-second, eighteen hundred and sixteen.

Patent to issue.

SEC. 2. *And be it further enacted*, That the Commissioner of the General Land Office shall, upon being presented with a plat and certificate of survey of the said tract of land, legally executed by the proper officer, issue a patent for the same: *Provided, however*, That such patent shall operate only as a relinquishment on the part of the United States, and shall not affect or prejudice the rights of any third person.

August 6, 1856.
Vol. 11, p. 455.

NO. 922.—AN ACT for the relief of Randall D. Livingston.

Randall D. Livingston confirmed in his land claim within the De Bastrop grant in Louisiana.

Be it enacted, &c., That Randall D. Livingston be, and he is hereby, confirmed in his title to a certain tract of land, lying and being within the limits of the "Baron de Bastrop grant," in the State of Louisiana, and described as follows, to wit: Beginning at a corner post in the edge of a prairie known as prairie "Mer Rouge;" running thence south one hundred and fifty poles, to two black oaks and three gums; thence east one hundred and thirty-three poles, to a hickory and gum; thence north one hundred and fifty poles, to three gums and a dogwood; thence west one hundred and thirty-three poles, to the place of beginning; containing two hundred acres, being the same tract of land conveyed by A. Morehouse to John Martin Merriwether, by deed, dated February first, anno Domini eighteen hundred and five; and being, also, that part of the two tracts of land, amounting in the aggregate to four hundred acres, claimed by the said Randall D. Livingston before the commissioners appointed under the act entitled "An act for the settlement of certain classes of private land claims within the limits of the Baron de Bastrop grant," &c., approved March third, eighteen hundred and fifty-one, which was not confirmed by the said commissioners.

Patent to issue.

SEC. 2. *And be it further enacted*, That the Commissioner of the General Land Office shall, upon the receipt of a plat and certificate of survey of the said tract of land, legally executed by the proper officer, issue a patent for the same: *Provided, however*, That such patent shall only operate as a relinquishment on the part of the United States, and shall not affect or prejudice the rights of any third person.

To operate only as a relinquishment of title of the United States.

No. 923.—AN ACT to confirm Joseph Wandestrand in his title to certain lands.

August 6, 1856.
Vol. 11, p. 456.

Be it enacted, &c., That Joseph Wandestrand be, and he is hereby, confirmed in his title to a certain tract of land in the State of Louisiana, and described as follows, to wit: Sections numbered fifty-five, fifty-six, and fifty-seven, in township numbered twelve south, of range numbered ten east, (east of the Mississippi River,) in the southeastern district of Louisiana: *Provided*, That this act shall only be construed to be a relinquishment on the part of the United States; and shall not prejudice, or in any way affect, the rights of any third person.

Title of Joseph Wandestrand to certain land in Louisiana confirmed.

Confirmation to act only as a relinquishment of title.

No. 924.—AN ACT granting public lands in alternate sections to the State of Mississippi to aid in the construction of railroads in said State, and for other purposes.

Aug. 11, 1856.
Vol. 11, p. 30.

[Grant of lands for a railroad from Mobile to New Orleans. See MISSISSIPPI, No. 1414.]

No. 925.—AN ACT for the relief of Cezaire Wallace, of the parish of Bossier, and State of Louisiana.

Aug. 16, 1856.
Vol. 11, p. 464.

Be it enacted, &c., That Cezaire Wallace be, and he is hereby, confirmed in his claim to the two tracts of land, each containing six hundred and forty acres, lying in the State of Louisiana, and within the limits of the late "Neutral Territory," which said claims were founded on inhabitation and cultivation, and reported for confirmation by the register and receiver of the southwestern district of Louisiana, in their report, dated November first, eighteen hundred and twenty-four, in conformity to the provisions of the act of Congress, approved March third, eighteen hundred and twenty-three, and the act supplementary thereto, approved May twenty-six, eighteen hundred and twenty-four; which said claims are numbered, respectively, "thirty-four" and "fifty-six," and embraced in the "third class" of the said report.

Claim of Cezaire Wallace to land in the "Neutral Territory," Louisiana, confirmed.

SEC. 2. *And be it further enacted*, That the confirmation made by this act shall not be construed to extend further than to a relinquishment of title on the part of the United States; and the claims hereby confirmed shall be located under the direction of the register and receiver of the proper land office, in conformity with the legal subdivisions of the public surveys, so far as practicable, and shall include the improvements of the claimant.

Confirmation to operate only as a relinquishment of title.

Location of said claims.

SEC. 3. *And be it further enacted*, That upon the location, as herein provided, such register shall forward certificates thereof to the Commissioner of the General Land Office, who, upon the receipt thereof, shall cause patents to be issued to the said Cezaire Wallace for the lands so located: *Provided*, The same does not exceed the quantity hereby confirmed. And if its location as herein confirmed should interfere with any bona-fide preëmption claim, or other adverse valid right, the same to the extent of such confliction may be located on any public land of the district to which there may be no existing preëmption or other valid claim under such regulations as may be prescribed by the Commissioner of the General Land Office.

Patents to issue.

If location interferes with existing rights, a new location may be made.

No. 926.—AN ACT for the relief of Ambrose Lanfear, of Louisiana.

Aug. 18, 1856.
Vol. 11, p. 473.

Be it enacted, &c., That the surveys of claim number seventy-four, known as the claim of the children of Paul Toups, and of claim number five hundred and twenty-nine, known as the claim of Daspit St. Amand, executed by Maurice Hanké, United States deputy surveyor, and approved of by William J. McCulloh, United States surveyor general for the State of Louisiana, on the fifth day of May, eighteen hundred and fifty-five, be, and the said surveys are hereby confirmed in favor of Ambrose Lanfear for the lands embraced within the said surveys hereby confirmed: *Provided*, That such confirmation shall only be construed into a relinquishment of title on the part of the United States, and shall not affect the rights of any third person claiming title either under adverse title or as preëmptor: *And provided further*, That any person, or persons, who are now settled on the said lands, or any portion of the lands embraced in the said surveys, shall be entitled to have and main-

Surveys of claims in Louisiana, known as claims of Toups children and of Daspit St. Amand, confirmed to Ambrose Lanfear.

This confirmation to be only a relinquishment of title.

Proviso that contestants may sue.

Pre-emption as
on said surveys.

tain an action to test the validity of said surveys and the extent of the said claim of the children of Paul Toups, and of Daspit St. Amand, numbers seventy-four and five hundred and twenty-nine—and to have the same determined judicially in the same manner as though the land on which they are settled had been surveyed as public land, and they had been permitted to enter the same by way of preëmption, it being the true intent and meaning of this act that no person who would be now entitled to a right of preëmption to any part of the said land, if the same were the property of the United States, shall be deprived of the same, unless it is judicially decided that the said surveys were made in conformity with the legal right of the said Ambrose Lanfear, under the said confirmation.

Aug. 18, 1856.
Vol. 11, p. 474.

No. 927.—AN ACT for the relief of Hannibal Faulk and Eliza S. Collier, (formerly widow Scriber,) and the heirs and legal representatives of Benjamin Scriber, deceased.

H. Faulk and
others, heirs of
Benj. Scriber,
confirmed in
their title to cer-
tain land in Lou-
isiana.

Be it enacted, &c., That Hannibal Faulk and Eliza S. Collier, (formerly widow Scriber,) and Abraham H. Scriber, Mary Ann Scriber, and William J. C. Scriber, heirs at law of Benjamin Scriber, deceased, according to their respective interests, be, and they are hereby, confirmed in their title to a certain tract of land, lying within the Baron de Bastrop grant, in the State of Louisiana, being a remainder of twenty-two hundred and fifty arpens of a tract of three thousand arpens, reported on by the register and receiver of the land office at Monroe, Louisiana, under date of July thirtieth, eighteen hundred and fifty-two, and numbered in said report as number one, of the first class; and being, also, that portion of said tract of land which was rejected by the said register and receiver, but recommended to the discretion and liberality of the Government. The confirmation hereby made, together with the confirmation under the act of Congress, approved June twenty-nine, eighteen hundred and fifty-four, shall be construed to confirm the title to the entire tract of land containing three thousand arpens, claimed by the said parties before the said register and receiver, and more particularly described in the deed from John McBride to Abraham Scriber, dated the fifteenth June, eighteen hundred and eighteen, a copy of which accompanies the said report of the thirtieth July, eighteen hundred and fifty-two.

Confirmation,
how, to operate.

Patent, how is-
sued.

SEC. 2. *And be it further enacted,* That the Commissioner of the General Land Office, upon the receipt of a plat and survey of the said tract of land, executed by the proper officer, shall cause a patent to be issued therefor: *Provided, however,* That such patent shall only operate as a relinquishment of title on the part of the United States, and shall not affect the right of any third person, whether entitled to a preëmption under the laws of the United States, or having other valid claim to any part of said land.

Aug. 18, 1856.
Vol. 11, p. 120.

No. 928.—AN ACT to fix the graduation periods for lands in the Greensburg district, in the State of Louisiana.

In Greensburg
district the peri-
ods to be reck-
oned from time
the land became
subject to private
entry.

Be it enacted, &c., That in classifying the unsold and unappropriated public lands in the district of Greensburg, subject to sale, in the State of Louisiana, under the act entitled, "An act to graduate and reduce the price of the public lands to actual settlers and cultivators," approved August fourth, eighteen hundred and fifty-four, the respective periods therein referred to shall be computed from the dates on which the lands became subject to private entry, after the first or original offering of the same. (a)

(a) See Nos. 704, 708, 710, 720, 722, 729, 730, 731, 732, 761, 768, 786, 813, 818, 849, 858, 860, 897, 899, 919, 920, 963.

Aug. 23, 1856.
Vol. 11, p. 477.

No. 929.—AN ACT for the relief of the heirs and legal representatives of Bernard Hemkin.

Heirs and rep-
resentatives of
Bernard Hemkin
authorized to lo-
cate certain land
in Louisiana.

Be it enacted, &c., That the heirs and legal representatives of Bernard Hemkin be and they are hereby authorized to locate two hundred arpens of land on any of the unreserved and unappropriated public lands of the Ouachita land district in the State of Louisiana, it being in lieu of so much of the lot number four, recommended by the register and re-

ceiver of said land office for confirmation, in their report made in July, eighteen hundred and fifty-two, in compliance with an act of Congress, as has been awarded to John B. Eddins: *Provided*, That by said location they shall not interfere with the pre-emptive or other valid rights of third persons.

Proviso.

No. 930.—AN ACT for the relief of the heirs and legal representatives of Mrs. Magdalene Brontin, widow of De la Ronde.

Aug. 23, 1856.
Vol. 11, p. 478.

Be it enacted, &c., That the claim of the heirs and legal representatives of Mrs. Magdalene Brontin, the widow of Don Pedro de la Ronde, be and the same is hereby confirmed to a tract of land in the Greensburg district, parish of St. Tammany, Louisiana, fronting on the West bank of Pearl River, at about ten miles from its fall into the Rigolets; containing two thousand superficial arpents, as represented on the plat of survey made by Carlos Trudeau, and annexed to the title deed granted by Don Juan Ventura Morales, intendent or superintendent-general of the province of West Florida, to Mrs. Magdalene Brontin, widow of De la Ronde, on the nineteenth January, eighteen hundred and four: *Provided, however*, That this act shall only operate as a relinquishment forever on the part of the United States to the said lands; and shall not interfere with adverse valid rights of other persons, if such exist, to any part of the land embraced in the claim and survey aforesaid.

Land claim of heirs, &c., of Magdalene Brontin confirmed.

Proviso.

No. 931.—AN ACT for the relief of the heirs and legal representatives of Ignacio Delino.

Aug. 23, 1856.
Vol. 11, p. 480.

Be it enacted, &c., That the claim of the heirs and legal representatives of Ignacio Delino be and the same is hereby confirmed to a tract of land in the Greensburg district, parish of St. Tammany, Louisiana, fronting on the west bank of Pearl River, at about twelve miles from its fall into the Rigolets, containing two thousand superficial arpents, as represented on the plat of survey made by Carlos Trudeau, and annexed to the title deed granted by Don Juan Ventura Morales, intendent-general of the province of West Florida, to Ignacio Delino, on the eighteenth January, eighteen hundred and four: *Provided, however*, That this act shall only operate as a relinquishment forever on the part of the United States to the said lands, and shall not interfere with adverse valid rights of other persons, if such exist, to any part of the land embraced in the claim and survey aforesaid.

Claim of heirs and representatives of Ignacio Delino to land in the Greensburg district, Louisiana, confirmed.

This act to operate only as a relinquishment.

No. 932.—AN ACT to confirm the title of Ruhama Whitaker and Rebecca Whitaker to certain lands in the State of Louisiana.

Aug. 23, 1856.
Vol. 11, p. 481.

Be it enacted, &c., That there is hereby confirmed to Ruhama Whitaker the usufruct title during her natural life, in two certain tracts constituting one body of land on the northwest branch of Thompson's Creek, in Louisiana; the one tract of five hundred and sixty arpens having been surveyed in the year seventeen hundred and ninety-nine, in the name of Juan Brown; the other, of three hundred and ten arpens, having been surveyed in the year eighteen hundred and six, for Edward O'Connor; and there is hereby relinquished to Rebecca Whitaker the reversionary interest of the United States in fee-simple to the said land; and it shall be the duty of the United States surveyor-general to execute a proper survey of the land, according to the evidence accompanying the memorial of the said Ruhama Whitaker and Rebecca Whitaker to Congress: *Provided, however*, That the confirmation and relinquishment by this act shall not interfere with any subsisting valid adverse right, if such exist, to the whole or any part of the aforesaid land.

Life estate in certain land in Louisiana confirmed to Ruhama Whitaker.

Reversion relinquished to Rebecca Whitaker.

Valid adverse rights saved.

No. 933.—AN ACT for the relief of the heirs and legal representatives of Louis Reggio.

Aug. 23, 1856.
Vol. 11, p. 482.

Be it enacted, &c., That the heirs and legal representatives of Louis Reggio, original claimant, be and they are hereby confirmed in their title to a certain tract of land situated on the Bayou Lacombe, in the parish of St. Tammany, State of Louisiana, containing sixteen hundred arpents, more or less, according to the original plat of survey made and returned to the land office, and located in townships eight and nine, of ranges twelve and thirteen east, in the land district east of the island

Heirs and representatives of Louis Reggio confirmed in their title to land in Louisiana.

Adverse rights saved and other land to be entered therefor. of Orleans, and west of Pearl River: *Provided*, That this confirmation is in no manner to affect or impair any adverse valid rights, if such should be found to exist; but the area of such interference, if not less than the quantity of a sixteenth of a section, the aforesaid legal representatives shall be authorized to locate on other Government lands in Louisiana, subject to entry by private sale at one dollar and twenty-five cents per acre or less.

Ascertainment whether there are adverse rights. SEC. 2. *And be it further enacted*, That it shall be the duty of the surveyor-general of Louisiana to ascertain whether any part of the original claim is not covered by other rights, and for such portion he shall make a return of a plat to the General Land Office; and for the area of interference, if not less than the quantity aforesaid, he shall issue his certificate authorizing the location thereof on other lands in Louisiana as aforesaid; and upon the return of such a plat, or the surveyor-general's certificate, with the tracts designated thereon by the proper register, which may be selected in accordance with this act, a patent shall issue.

Jan. 28, 1857.
Vol. 11, p. 490.

No. 934.—AN ACT for the relief of Charlotte Turner.

Be it enacted, &c., That Mrs. Charlotte Turner be, and is hereby, authorized to enter, at the minimum price of one dollar and twenty-five cents per acre, the east half of the southeast quarter of section twenty-one, and the west half of the southwest quarter of section twenty-two, in township three, of range eight east, in the southeastern district, Louisiana, in virtue of her long settlement and valuable improvements thereon.

Mrs. Charlotte Turner authorized to enter certain land in Louisiana.

Feb. 5, 1857.
Vol. 11, p. 491.

No. 935.—AN ACT for the relief of the heirs or legal representatives of Jeremiah Bryan.

Be it enacted, &c., That the heirs or legal representatives of Jeremiah Bryan, late of the parish of St. Helena, State of Louisiana, be allowed, and are hereby authorized, to select from, and to enter and locate, free of cost, in the proper land office, six hundred and forty acres of any of the public lands in the Greensburg (late St. Helena) land district, in Louisiana, according to legal subdivisions; and that such right of entry or location shall be exercised in full satisfaction of the confirmation made to said Bryan under the act of third March, eighteen hundred and nineteen, according to the report of actual settlers in said district, made by J. O. Cosby, and to certificate of confirmation, number two hundred and nine, issued by the register and receiver of said land office: *Provided*, That the selections shall be made from lands subject to private entry, at a minimum of not more than one dollar and twenty-five cents per acre; and patents shall issue therefor, as in ordinary cases of entry and sale.

Heirs or representatives of Jeremiah Bryan authorized to enter certain land in Louisiana.

Proviso.

March 2, 1857.
Vol. 11, p. 503.

No. 936.—AN ACT for the relief of John L. Vattier.

Be it enacted, &c., That John L. Vattier be and he hereby is entitled to select and locate of the public lands of the United States open to entry at one dollar and twenty-five cents per acre, two thousand eight hundred and eighty acres, for which he shall duly receive a patent as indemnity for the undivided half of the claim of George Schamp and Pelagre Schamp, his wife, as filed before the register and receiver of the land office of the southwestern land district of the State of Louisiana, as reported by them first of November, eighteen hundred and twenty-four.

John L. Vattier authorized to locate 2,880 acres as indemnity.

March 2, 1857.
Vol. 11, p. 505.

No. 937.—AN ACT for the relief of Benjamin R. Gantt.

Be it enacted, &c., That the claim of Benjamin R. Gantt, as the assignee or representative of George Rowe, to a tract of land on the east or left side of the Bayou Teche, in the parish of St. Mary, State of Louisiana, in virtue of a location made by H. Williams, surveyor-general, on the twenty-first day of February, eighteen hundred and forty, under the act of Congress for the relief of the said George Rowe, approved on the third day of March, eighteen hundred and thirty-nine, containing

Part of land claim of Benj. R. Gantt, assignee of George Rowe, confirmed.

not more than four hundred superficial arpents, be and the same is hereby confirmed to so much of said land so located, as may be found undisposed of by the United States; the same to be patented and adjusted according to the approved plat of survey of the township in which it is situated, under instructions from the Commissioner of the General Land Office, so as to give him, the said Gantt, as near as may be, the lands sought to be located by him, being a part of sections one and two, and perhaps a fraction of eleven and twelve, in township number fifteen south, of range number ten east, in the southwestern district of Louisiana: *Provided*, That this act shall only operate as a relinquishment forever on the part of the United States to the said lands, and shall not interfere with adverse valid rights of third persons, if such exist, to any part thereof. (a)

This act to be only a relinquishment of title.

(a) See No. 838.

No. 938.—AN ACT for the relief of the inhabitants of the parish of Ascension, State of Louisiana.

March 3, 1857.
Vol. 11, p. 517.

Be it enacted, &c., That all that certain tract or parcel of land situate on the west side of the Mississippi, in the parish of Ascension, containing four arpents, one toise and five feet in front, and forty arpents in depth, as claimed by Isadore Blanchard, for the parish church of the parish of Ascension, under number three hundred and ninety-one, and reported favorably on by the old board of commissioners for the eastern district of New Orleans Territory, and as represented in the survey of a portion of township eleven south, in ranges fourteen and fifteen east, in the surveys of the United States, southeastern district of Louisiana, west of the Mississippi, be and the same is hereby confirmed to the inhabitants of the parish of Ascension, to and for the uses and purposes for which the same has been heretofore held and used: *Provided also*, That this act shall be only considered a relinquishment on the part of the United States, and not to interfere with the rights of others.

Land claim in Louisiana confirmed to the parish of Ascension.

Act to operate only as a relinquishment.

No. 939.—AN ACT for the relief of N. C. Weems, of Louisiana.

April 21, 1858.
Vol. 11, p. 529.

Be it enacted, &c., That the entry of the section number sixty-eight, of township number two north, of range number one east, in the southwestern land district of Louisiana, by N. C. Weems, of that State, and patented on the first day of September, eighteen hundred and forty-nine, be, and is hereby, confirmed; and the Commissioner of the Land Office shall cause to be refunded any excess of money paid into the land office in its purchase from the Government.

Entry of land to be confirmed to N. C. Weems.

No. 940.—AN ACT for the relief of John R. Temple, of Louisiana.

May 18, 1858.
Vol. 11, p. 530.

Be it enacted, &c., That John R. Temple be, and he is hereby, confirmed in his title to a tract of land containing six hundred and seventy arpens, lying and being within what is known as the "Baron de Bastrop grant," on the east side of Bayou Bartholomew, and more particularly described in a plat and survey executed on the nineteenth and twentieth days of January, eighteen hundred and fifty-five, by Henry Curtis, parish surveyor for the parish of Morehouse, and State of Louisiana; and being all that part of two certain tracts of land, not heretofore confirmed to any other claimant, as follows, to wit: A tract of land sold and conveyed by the heirs of Morehouse to George Hook, by deed dated the tenth day of December, eighteen hundred and fourteen; and a certain other tract conveyed by Abraham Morehouse to Jacob Stroop, son of George Stroop, by deed dated the tenth day of December, eighteen hundred and twelve.

Title of John R. Temple confirmed to a tract of the "Baron de Bastrop grant."

SEC. 2. *And be it further enacted*, That the Commissioner of the General Land Office, upon receipt of a plat and survey of the land hereby confirmed, executed by the proper officer, shall cause a patent to be issued therefor to the said John [R.] Temple: *Provided, however*, That such patent shall only operate as a relinquishment of title on the part of the United States, and shall not effect the rights of any third person.

Patent to issue.
Proviso.

May 24, 1858.
Vol. 11, p. 531.

No. 941.—AN ACT to revive an act entitled "An act for the relief of the heirs, or their legal representatives, of William Conway, deceased."

Preamble.

Whereas the heirs of William Conway, deceased, or their legal representatives, have never been able to avail themselves of the provisions in their favor contained in an act entitled "An act for the relief of the heirs, or their legal representatives, of William Conway, deceased," partly because of some error or mistake as to the location of the portion of the lands applied for under the act, and partly because of the existence of a legal controversy between the parties in interest under the provisions of said act: Therefore—

Former act revived for one year.

Be it enacted, &c., That the said act entitled "An act for the relief of the heirs, or their legal representatives, of William Conway, deceased," approved July second, eighteen hundred and thirty-six, be, and the same is hereby, revived and continued in force for one year from the passage of this act, and no longer. (a)

(a) See Nos. 824, 936.

May 24, 1858.
Vol. 11, p. 531.

No. 942.—AN ACT for the relief of the representatives of William Smith, deceased, late of Louisiana.

Claim of William Smith to land in Louisiana confirmed to heirs, &c., and patent to issue.

Be it enacted, &c., That the claim of William Smith to six hundred and forty acres of land, now occupied by William B. Allen, in the parish of Livingston, in the State of Louisiana, and being the same he resided on at the time of his death, and settled originally by Stephen Terry, and represented on the map of surveys as section number thirty-nine, in township number six south, of range number three east; and section number sixty, in township number six south, of range number two east, be, and the same is hereby, confirmed to the said William Smith and to his heirs and representatives, and that a patent shall issue therefor, as in other cases: *Provided*, That this act shall only operate as a relinquishment forever on the part of the United States to said land, and shall not interfere with adverse valid rights of others, if such exist.

Proviso.

May 24, 1858.
Vol. 11, p. 531.

No. 943.—AN ACT for the relief of the heirs and legal representatives of Pierre Broussard, deceased.

Claim of Pierre Broussard to land in Louisiana confirmed to heirs.

Be it enacted, &c., That the heirs and legal representatives of Pierre Broussard, deceased, late of Louisiana, be, and they are hereby, confirmed in their title to a certain tract of land situated on the Bayou Teche, in the parish of St. Martin, in said State of Louisiana, and known on the recognized public surveys as section thirty-six, in township eight south, of range five east, containing about one hundred and seventy acres: *Provided*, That this confirmation shall only operate as a relinquishment of title on the part of the United States, and shall not affect any adverse rights, if any such there be.

Proviso.

May 24, 1858.
Vol. 11, p. 532.

No. 944.—AN ACT for the relief of Pierre Gagnon, of Natchitoches, Louisiana.

Pierre Gagnon may enter and pay for his preemption claim.

Be it enacted, &c., That Pierre Gagnon be allowed to enter and pay for his preemption claim to the northeast and southeast fractional quarters of section number seven, in township number nine north, of range number six west, containing about one hundred and eighty-nine acres, in the land office at Natchitoches, Louisiana, and that a patent issue therefor as in ordinary cases: *Provided, however*, That [neither] this right of entry, nor any patent issued under it, shall prejudice any valid adverse claim, should such exist.

Proviso.

May 24, 1858.
Vol. 11, p. 533.

No. 945.—AN ACT for the relief of the legal representatives of Marie Malines.

Representatives of Marie Malines confirmed in the title of the United States to certain land in Louisiana.

Be it enacted, &c., That the legal representatives of Marie Malines, born Rillieux, be, and they are hereby, confirmed in all the right, title, and interest now held or possessed by the United States in and to a certain tract of land in the State of Louisiana, containing about thirty-two hundred arpents, being a part of a grant made by the French Government, in the year one thousand seven hundred and sixty-four, to Marie Rillieux, according to a survey and plat made by the royal surveyor,

Don Carlos Trudeau, and of record in the land office at New Orleans; and upon a proper survey, duly approved, being returned to the General Land Office, a patent shall issue: *Provided*, That this act shall only be construed to vest in the said legal representatives of Marie Malines, born Rillienx, the rights, title, and interest in said land now held and possessed by the United States, and shall not be construed in any way to impair the bona-fide rights, interests, or claims acquired by any other person under adverse grants, concessions, or purchases made prior to the passage of this act.

Proviso.

No. 946.—AN ACT to provide for the location of certain confirmed private land claims in the State of Missouri, and for other purposes.

June 2, 1858.
Vol. 11, p. 294.

[Decisions of recorder, &c., as to certain private land claims in the eastern district of Orleans Territory confirmed, &c. See MISSOURI, No. 1102.]

No. 947.—AN ACT for the relief of the legal representatives of Jean Babtiste Devidrine.

June 7, 1858.
Vol. 11, p. 544.

Be it enacted, &c., That the legal representatives of Jean Babtiste Devidrine, late of Louisiana, be, and they are hereby, confirmed in their claim to that tract or parcel of land known on the public surveys of the southwestern land district of that State as lot number forty-five, in township number four south, range number three east, and lot number seventy-three, in township number four south, range number four east, containing about four hundred arpents, or three hundred and fifty acres of land, and that a patent shall issue therefor as in other cases: *Provided*, That this act shall only be construed as a relinquishment of whatever title may now be vested in the United States, and shall in nowise interfere with any valid adverse claim of other or third parties, should such there be.

Representatives of Jean Babtiste Devidrine, confirmed in claim to land in Louisiana and patent to issue.

Proviso.

No. 948.—AN ACT for the relief of the legal representatives of John McDonough, deceased, late of Louisiana.

June 7, 1858.
Vol. 11, p. 545.

Be it enacted, &c., That the claim numbered thirty-nine in the report of the register and receiver of the land office at New Orleans, Louisiana, made on the twenty-second day of November, eighteen hundred and thirty-seven, in the name of John McDonough, to a tract of about one hundred and seventy-seven superficial arpents of land, be, and the same is hereby, confirmed; and that a patent shall issue, as in ordinary cases, to the legal representatives of the said McDonough: *Provided*, That this confirmation shall only be construed as a relinquishment of all right and title of the United States, and shall not prejudice the legal claim of any other party, should such exist. (a)

Representatives of John McDonough confirmed in claim to land in Louisiana, and patent to issue.

Proviso.

(a) See Nos. 774, 779.

No. 949.—AN ACT for the relief of Mrs. Ambroise Brou, of the parish of St. Charles, State of Louisiana.

Feb. 9, 1859.
Vol. 11, p. 559.

Be it enacted, &c., That Mrs. Ambroise Brou, of the parish of St. Charles, in the State of Louisiana, be, and she is hereby, confirmed in her title to lot or section six, township twelve south, range twenty east, and lot or section ten in township thirteen south, range twenty east, in said State; said lands being the unconfirmed half of a tract of nine arpents twenty-six toises front, by eighty arpents in depth, the other half of which was confirmed to Ambroise Brou by the act of Congress of February twenty-eighth, eighteen hundred and twenty-three, and is fully described in the report of the register of the land office for the eastern district of Louisiana, dated the sixth January, eighteen hundred and twenty-one: *Provided*, That this act shall not affect the right, title, or claim of any third person, but shall be construed simply as a quit-claim by the United States of any title in and to said tract of land.

Land title confirmed to Mrs. Ambroise Brou.

Proviso.

No. 950.—AN ACT for the relief of the heirs and legal representatives of Olivier Landry, of the State of Louisiana.

Feb. 9, 1859.
Vol. 11, p. 559.

Be it enacted, &c., That the heirs and legal representatives and assigns of Olivier Landry be, and they are hereby, confirmed in their title to a certain tract of land situated in township ten south, range five east, in the southwestern district of Louisiana, containing two hundred and

Land title confirmed.

Proviso.

thirty acres and eighty-four hundredths of an acre, being the tract on the township map of said township marked forty-nine, bounded on one side by a tract belonging to the heirs of Rene Trahan, and on the other by land formerly confirmed to said Olivier Landry: *Provided*, That this act shall only be construed as a relinquishment of any title that the United States may have to said lands, and shall not affect any title that any third person may have in and to said lands.

April 19, 1860.
Vol. 12, p. 838.

No. 951.—AN ACT for the relief of the heirs and legal representatives of Mark Elisha.

Claim of Mark Elisha to land in Louisiana confirmed.

Be it enacted, &c., That the claim of Mark Elisha for four hundred arpents, entered under number three hundred and sixty-five, (register's number, one hundred and twenty-six) in the seventh class of the report dated December thirty, eighteen hundred and fifteen, of the register and receiver at Opelousas, Louisiana, be, and the same is hereby, confirmed, the said claim not being yet surveyed, but reported as embracing parts of lots numbers three and four, and south half of sections twenty-one and twenty-eight, lot number six of section twenty-seven, and lot number one of section twenty-nine in township two north, of range four east, southwestern land district of Louisiana; and it shall be the duty of the surveyor-general of Louisiana, to survey said claim, and represent the same on the official plats: *Provided*, That this act shall only be considered as a relinquishment on the part of the United States and not to interfere with any adverse valid rights to the same land.

Proviso.

June 1, 1860.
Vol. 12, p. 845.

No. 952.—AN ACT for the relief of Braxton Bragg and Randall L. Gibson.

Braxton Bragg and Randall L. Gibson, confirmed in their claim to land in Louisiana, and patent to issue therefor.

Be it enacted, &c., That Braxton Bragg and Randall L. Gibson, be, and they are hereby, confirmed in their claim to the portion of the tract of land known and designated in the surveys of the United States for the southeastern district of Louisiana as section or lot number twenty-seven, of township fourteen south, in range sixteen east, (west of the river Mississippi,) which they are now respectively in possession of, under title derived from Domingo Esteve or his heirs, and that a patent shall issue therefor, as in ordinary cases.

June 9, 1860.
Vol. 12, p. 852.

No. 953.—AN ACT for the relief of the heirs or legal representatives of Francis Guillory.

Land claim of heirs of Francis Guillory confirmed.

Be it enacted, &c., That the heirs or legal representatives of Francis Guillory, deceased, late of the parish of St. Landry, in the State of Louisiana, be, and they are hereby, confirmed in their claim to that tract or parcel of lands known on the public surveys of the southwestern district of Louisiana as section number one hundred and eight, in township number four south, range number three east, and section number seventy-eight, in township number four south, of range number four east, containing about one hundred and ninety-five acres, and that a patent shall issue therefor, as in ordinary cases: *Provided*, That this act shall only be construed as a relinquishment of whatever title may now be vested in the United States of America, and shall in nowise interfere with any valid adverse claim of other or third parties.

Title only of United States relinquished.

June 16, 1860.
Vol. 12, p. 43.

No. 954.—AN ACT to relinquish the title of the United States to certain lands occupied by the city of Baton Rouge, in Louisiana.

Title relinquished to certain lands in Baton Rouge, Louisiana.

Be it enacted, &c., That all the right, title, interest or claim of the United States in and to the land occupied by the city of Baton Rouge, in the State of Louisiana, lying between Florida street on the north and the South Boulevard on the south, as shown by an original map of said city, on file in the office of the clerk of the sixth judicial district court of Louisiana, at East Baton Rouge, on the fourteenth of March, eighteen hundred and sixty, be, and the same is hereby, relinquished to

the mayor and council of the city of Baton Rouge, in trust for the several use and benefit of the owners of lots therein, according to their respective interests: *Provided*, That this act shall only be construed as quit-claim on the part of the United States, and shall not affect the interests of third parties, nor preclude a judicial investigation in relation to the title to all or any portion of the lands hereby relinquished.

No. 955.—AN ACT recognizing the survey of the Grand Cheniere Island, State of Louisiana, as approved by the surveyor-general, and for other purposes.

June 16, 1860.
Vol. 12, p. 43.

Be it enacted, &c., That the anomalous survey of the Grand Cheniere Island, in the southwestern district of Louisiana, as approved by R. W. Boyd, surveyor-general, on the twenty-eighth day of February, eighteen hundred and fifty-two, be, and the same is hereby confirmed, and persons residing thereon at the date of this act who, according to the pre-emption laws now in force, would be entitled to a pre-emption, shall be allowed such right on the lands referred to in this bill; but such preference right shall be confined to the single subdivision of land upon which the party may reside, and shall exceed, in no case, one hundred and sixty acres.

Survey of
Grand Cheniere
Island confirmed.

Pre-emption
rights granted.

No. 956.—AN ACT to repeal the second section and other portions of an act passed the second day of June, eighteen hundred and fifty-eight, entitled "An act to provide for the location of certain confirmed private land claims in the State of Missouri, and for other purposes."

June 21, 1860.
Vol. 12, p. 866.

Be it enacted, &c., That the second section of an act passed the second day of June, one thousand eight hundred and fifty-eight entitled "An act to provide for the location of certain confirmed private land claims in the State of Missouri, and for other purposes," and all other parts of said act which relate to lands in Louisiana, confirmed by said second section, (so far as said lands are concerned,) be, and the same are hereby, repealed. (a)

Repeal.

SEC. 2. *And be it further enacted*, That Congress hereby refuses to confirm to the claimants under the Houmas grant, (b) the lands embraced in certificates number one hundred and twenty-five to William Conway, (c) number one hundred and twenty-seven to Danel Clark, and number one hundred and thirty-three to Donaldson and Scott.

Certain claims
under the Hou-
mas grant not
confirmed.

(a) See Nos. 699, 701, 703, 704, 705, 708, 710, 712, 716, 718, 721, 722, 723, 724, 728, 731, 732, 737, 738, 739, 740, 745, 746, 749, 752, 753, 777, 790, 817, 819, 826, 852, 863, 864, 873, 889, 899, 904, 911, 946, 957, 961, 967.

(b) See No. 870.

(c) See Nos. 824, 941.

No. 957.—AN ACT for the final adjustment of private land claims in the States of Florida, Louisiana, and Missouri, and for other purposes.

June 22, 1860.
Vol. 12, p. 85.

Be it enacted, &c., That any person or persons, and the legal representatives of any person or persons, who claim any lands lying within the States of Florida, Louisiana, or Missouri, by virtue of grant, concession, order of survey, permission to settle, or other written evidence of title emanating from any foreign government, bearing date prior to the cession to the United States of the territory out of which said States were formed, or during the period when any such government claimed sovereignty or had the actual possession of the district or territory in which the lands so claimed are situated, shall be, and they are hereby, authorized to make application for the confirmation of their title to the lands so claimed, in the manner following, to wit: they shall file notices in writing, together with the evidence in support of their claims, before the commissioners hereinafter designated, within whose district the lands claimed may be situated, together with a brief abstract of the title of the claimant, and copies of the plats of survey thereof, whenever such surveys have been made and are within the possession of the claimant, and accompanied with a sworn statement by the claimant of the lands supposed to be covered by his claim, according to the legal divisions and subdivisions of the surveys made by the United States, if the land claimed is included in any surveys so made; and the said notices, evidence,

Persons claim-
ing lands by
grant dated prior
to cession to
United States,
&c., may apply
to commissioners
for confirmation
of title.

Mode of appli-
cation.

and the decisions of the commissioners thereon, shall be recorded in a book kept for that purpose, a transcript of which shall, from time to time, be transmitted to the Commissioner of the General Land Office.

Who to be commissioners.

SEC. 2. *And be it further enacted*, That the registers and receivers of the several land offices in the States of Florida and Louisiana, within their respective land districts, and the recorder of land titles for the city of Saint Louis, for the State of Missouri, and their successors in office, shall be, and they are hereby, appointed commissioners to hear and decide under such instructions as may be prescribed by the Commissioner of the General Land Office in conformity with this act, and according to justice and equity and the principles hereinafter established, in a summary manner, all matters respecting such claims within the districts aforesaid as come within the provisions of this act; they shall have power to administer oaths, compel the attendance of and examine witnesses, demand and obtain from the proper officers all public records in which grants of land, warrants, orders of survey, or other evidence of claims to land derived from any foreign government may have been recorded, and shall make a report to the Commissioner of the General Land Office on the claims so presented to them for decision, dividing said claims into separate classes in the manner hereinafter provided, and giving their opinion whether such claims ought to be confirmed or rejected.

Their authority, duty, &c.

Claims reported on, to be divided into three classes.

SEC. 3. *And be it further enacted*, That the claims so presented and passed upon by the commissioners, as aforesaid, shall be by them divided in their report into three distinct classes, as follows, viz:

Number one.

Number one shall contain all claims which, in their opinion, ought to be confirmed, where the lands claimed have been in possession and cultivation by the private claimants or those under whom they derive title for a period of at least twenty years preceding the date of filing the claim, by virtue of some grant, concession, or order of survey, permission to settle, or other written evidence of title emanating from some foreign government which held or claimed sovereignty or jurisdiction over the territory in which the lands claimed are situated, and where the title emanating from such foreign government bears date anterior to the cession of said territory to the United States.

Number two.

Number two shall contain all claims which, in their opinion, ought to be confirmed, where the lands are claimed under written evidence of title, as above provided in class *number one*, but where there has been no actual possession and cultivation of the land claimed for a period of at least twenty years prior to the filing of the claim.

Number three.

Number three shall contain all claims which, in their opinion, ought to be rejected, whether from defect of proof, suspicion of fraud based on probable ground, uncertainty of location, vagueness of description, or any other cause sufficient, in their opinion, to justify such rejection:

Provided.

Provided, That in no case shall such commissioners embrace in said classes *number one* and *number two* any claim which has been heretofore presented for confirmation before any board of commissioners, or other public officers acting under authority of Congress, and rejected as being fraudulent, or procured or maintained by fraudulent or improper means; nor shall any such claim be received or considered by the commissioners which has been already twice rejected on the merits by previous boards.

Commissioner of General Land Office to report to Congress.

SEC. 4. *And be it further enacted*, That whenever the said Commissioner shall approve the report of the commissioners in cases embraced in classes *number one* or *number two*, he shall report the same to Congress for its action; and whenever the said Commissioner shall approve the report in cases embraced in class *number three*, the rejection of the claim so acted on shall be final and conclusive, and the land embraced within the claim shall be considered and treated as other public lands belonging to the United States.

Claims disapproved by him to be reported to Congress.

SEC. 5. *And be it further enacted*, That all claims comprehended within any of the three classes aforesaid, on which there shall be disapproval by the Commissioner of the report made by the boards of commissioners aforesaid, shall be reported to Congress for its action and final decision thereon.

Proceedings when lands, title to which is confirmed, have been sold by the United States, &c.

SEC. 6. *And be it further enacted*, That whenever it shall appear that lands claimed, and the title to which may be confirmed under the provisions of this act, have been sold in whole or in part by the United States prior to such confirmation, or where the surveyor-general of the district shall ascertain that the same cannot be surveyed and located, the party in whose favor the title is confirmed shall have the right to

enter upon any of the public lands of the United States a quantity of land equal in extent to that sold by the Government: *Provided*, That said entry be made only on lands subject to private entry at one dollar and twenty-five cents per acre, and as far as may be possible in legal divisions and subdivisions, according to the surveys made by the United States.

Proviso.

SEC. 7. *And be it further enacted*, That whenever any claim is presented for confirmation under the provisions of this act, which has heretofore been presented before any board of commissioners under authority of Congress, the facts reported as proven by the former board shall be taken as true prima facie; and the evidence offered before such former board, and remaining of record, shall be admitted on the examination of the claims made under the provisions of this act.

Evidence offered to former boards to be admitted before Commissioner.

SEC. 8. *And be it further enacted*, That no land claimed under the provisions of this act shall be offered for sale, or otherwise disposed of by the officers of the United States, until the final decision shall be made on the validity of such claim; and in no case where land is possessed or cultivated by private persons shall it be entered upon or surveyed as public land, or offered for sale, without previous notice given to those in possession, requiring them to present their claims for confirmation; and if within sixty days from the date of such notice such claim shall not have been filed, then the proper officers of the Government may proceed to the survey or sale of such lands as public lands, without prejudice, however, to the legal rights of the possessor or claimant, if any he have.

Lands claimed under this act, not to be sold until, &c.

Cultivated land not to be surveyed, &c., without, &c.

SEC. 9. *And be it further enacted*, That before the boards of commissioners shall be required to receive for record any notice, paper, evidence of title, or testimony, in support of any claim, the claimant shall pay to said board the sum of twenty-five cents for every hundred words required to be recorded, which shall be in full consideration for the recording and the transcript required to be forwarded to the Commissioner of the General Land Office.

Claimants to advance certain fees for recording.

SEC. 10. *And be it further enacted*, That at the commencement of each regular session of Congress, it shall be the duty of the Commissioner of the General Land Office to make report of all that has been done under the provisions of this act by the several officers charged with its execution.

Commissioner of General Land Office to report to Congress.

SEC. 11. *And be it further enacted*, That in any case of such a claim to lands as is hereinbefore in the first section of this act mentioned, where the lands claimed have not been in possession of and cultivated by the original claimant or claimants, or those holding title under him or them, for the period of twenty years aforesaid, and where such lands are claimed by complete grant or concession, or order of survey duly executed, or by other mode of investiture of the title thereto in the original claimant or claimants, by separation thereof from the mass of the public domain, either by actual survey or definition of fixed natural and ascertainable boundaries or initial points, courses and distances, by the competent authority, prior to the cession to the United States of the territory in which said lands were included, or where such title was created and perfected during the period while the foreign governments from which it emanated claimed sovereignty over or had the actual possession of such territory, the person or persons, his, her, or their heirs, devisees, legal representatives or grantees, so claiming such lands, may, at their option, instead of submitting their claim to the officer or officers hereinbefore mentioned, proceed by petition in any district court of the United States within whose jurisdiction the lands or any part of the lands claimed may lie, unless such claim comes within the purview of the third section of this act; to which petition the United States shall be made defendant, and it shall be verified by the oath of the party or parties, and conform to the provisions of section one of this act, and to the practice of such court in chancery, and the attorney of the United States for such district shall defend against the same for the United States; and the court shall decide the claim valid or invalid according to the principles established in this act, and decree accordingly. If the decree be against the United States, an appeal shall be entered to the Supreme Court of the United States; and if it be against the claimant or claimants, he or they may take an appeal directly to that court, as of right and course, without affidavit or security other than for costs; and the same shall be adjudged *de novo* in the Supreme Court as in other cases of appeals thereto in chancery, and as equity

Proceedings where lands have not been held twenty years, but are claimed by complete grant, &c.

Petition to Federal district court.

Proceedings thereon.

and justice and the principles aforesaid may require; which decision shall be final, and patent shall thereupon issue, if the claim be adjudged valid, for so much of the lands claimed as remain unsold; and for so much as may have been sold, the provisions of section six of this act shall apply and be in force.

Act, how long
to remain in
force.

SEC. 12. *And be it further enacted*, That this act shall be and remain in force during the term of five years, unless sooner repealed by Congress; and all claims presented or sued upon, according to the provisions of this act, within the said term of five years, may be prosecuted to final determination and decision, notwithstanding the said term of five years may have expired before such final determination and decision. (a)

(a) See Nos. 699, 701, 703, 704, 705, 708, 710, 712, 716, 718, 721, 722, 723, 724, 728, 731, 732, 737, 738, 739, 740, 745, 746, 749, 752, 753, 777, 790, 817, 819, 826, 852, 863, 864, 873, 879, 899, 904, 911, 946, 956, 961, 967

June 25, 1860.
Vol. 12, p. 113.

No. 958.—AN ACT to grant to the parish of Point Coupee, Louisiana, certain tracts of land in said parish.

Land to be
given parish of
Point Coupee.

Be it enacted, &c., That the tracts of land in the parish of Point Coupee, Louisiana, which have been in ancient occupancy as the site of a church and court-house, and which are designated on the plats of the public surveys as sections twenty-three and twenty-four, in township four, south, of range ten, east, in the southeastern district, Louisiana, be, and the same are hereby, granted to the said parish of Point Coupee, on the condition that the aforesaid section twenty-four, or the church site, shall be held by said parish for the use of the Catholic congregation now occupying it for public worship and as a burying-ground; but not to the prejudice of a valid adverse right, if such exist.

Condition.

March 17, 1862.
Vol. 12, p. 371.

No. 959.—AN ACT authorizing floats to issue in satisfaction of claims against the United States for lands sold by them within the Las Ormigas and La Nana grants, in the State of Louisiana.

Certificates
may be issued to
owners of the Las
Ormigas and La
Nana tracts of
land.

Be it enacted, &c., That it shall be the duty of the Commissioner of the General Land Office to issue and deliver to the respective owner or owners of the Las Ormigas and La Nana tracts of land, formerly situate in the parish of Natchitoches, now parishes of Sabine and De Soto, in the State of Louisiana, or to his or their assigns or other legal representatives, certificates or floats, in the usual form, for so much land as may have been at any time heretofore sold, donated, granted, or reserved by the United States within said tracts of land or either of them; and which certificates or floats may be located by the owner or holder thereof on any lands belonging to the United States, and subject to private entry at a price not exceeding one dollar and twenty-five cents per acre, and which certificates or floats shall be in full satisfaction of all claims against the United States for lands so sold, donated, granted, or reserved: *Provided*, That as a condition precedent to the issuing of the floats hereinbefore authorized, the claimant, or claimants, shall present to the Commissioner of the General Land Office satisfactory evidence of title thereto, and that such claimants have been and continue to be loyal to the Government of the United States: *And provided further*, That such certificates and floats shall not exceed in gross seventeen thousand four hundred and seventy-seven and sixty-two hundredths acres. (a)

How located.

Title to be first
shown.

Certificates not
to exceed a cer-
tain amount.

When act to
take effect.

SEC. 2. *And be it further enacted*, That this act shall take effect immediately.

(a) See No. 960.

June 30, 1864.
Vol. 13, p. 326.

No. 960.—AN ACT authorizing the issue of patents for locations made with certificates granted under authority of the act of Congress, approved March seventeenth, eighteen hundred and sixty-two, allowing floats in satisfaction of lands sold by the United States within the limits of the Las Ormegas and La Nana grants in Louisiana.

Patents may be
issued for certain
locations.

Be it enacted, &c., That in the case of all locations made with certificates issued under the act of Congress approved seventeenth March, eighteen hundred and sixty-two, "authorizing floats to issue in satisfaction of claims against the United States for lands sold by them within the Las Ormegas and La Nana grants, in the State of Louis-

iana," it shall and may be lawful for the Commissioner of the General Land Office to cause patents to issue for such locations, where the same may be found bona fide and satisfactory to the said Commissioner. (a)

(a) See No. 959.

No. 961.—AN ACT to extend the provisions of an act entitled "An act for the final adjustment of private land claims in the States of Florida, Louisiana, and Missouri, and for other purposes." March 2, 1867. Vol. 14, p. 544.

Be it enacted, &c., That the provisions of the act entitled "An act for the final adjustment of private land claims in the States of Florida, Louisiana, and Missouri, and for other purposes," approved June twenty-second, eighteen hundred and sixty, be, and the same are hereby, extended, and the same shall continue in force for a period of three years from and after the passage of this act. (a) Extended for three years.

(a) See Nos. 699, 701, 703, 704, 705, 708, 710, 712, 716, 718, 721, 722, 723, 724, 728, 731, 732, 737, 738, 739, 740, 745, 746, 749, 752, 753, 777, 790, 817, 819, 826, 852, 863, 864, 873, 889, 899, 904, 911, 946, 956, 957, 967.

No. 962.—AN ACT to declare forfeited to the United States certain lands granted to the State of Louisiana to aid in constructing a railroad therein. July 14, 1870. Vol. 16, p. 277.

Be it enacted, &c., That all the lands which were granted by Congress, in the year eighteen hundred and fifty-six, to the State of Louisiana, to aid in the construction of the New Orleans, Opelousas, and Great Western Railroad, and which have not been lawfully disposed of by the said State under said grant, which has expired by limitation, or by act of Congress since the original grant, are hereby declared forfeited to the United States, and these lands shall hereafter be disposed of as other public lands of the United States. (a) Certain lands granted to Louisiana in aid, &c., declared forfeited to the United States.

(a) See Nos. 822, 828, 829, 920, 924, 964, 966.

No. 963.—AN ACT to provide for the disposition of useless military reservations. Feb. 24, 1871. Vol. 16, p. 430.
[Military reservation at Forts Jessup and Sabine to be sold. See WASHINGTON TERRITORY, No. 2305.]

No. 964.—AN ACT to incorporate the Texas Pacific Railroad Company, and to aid in the construction of its road, and for other purposes. March 3, 1871. Vol. 16, p. 573.

[Grant of lands to New Orleans, Baton Rouge, and Vicksburg Railroad Company. See CALIFORNIA, No. 2391.]

No. 965.—AN ACT authorizing the President of the United States to re-establish the Monroe land district in the State of Louisiana. March 16, 1872. Vol. 17, p. 40.

Be it enacted, &c., That the President of the United States be, and he is hereby, authorized, if in his judgment the public interests would be subserved thereby, to re-establish the Monroe land district in the State of Louisiana, with the same boundaries that existed before the consolidation of said land district with the land district at New Orleans. (a) Monroe land district in Louisiana re-established.

(a) See Nos. 701, 704, 708, 710, 711, 718, 731, 737, 740, 831, 879.

No. 966.—AN ACT supplementary to an act entitled "An act to incorporate the Texas Pacific Railroad Company, and to aid in the construction of its road, and for other purposes," approved March third, eighteen hundred and seventy-one. May 2, 1872. Vol. 17, p. 59.

[Texas and Pacific Railroad Company authorized to construct a road between Marshall, Texas, and Shreveport, Louisiana. See CALIFORNIA, No. 2395.]

June 10, 1872. **No. 967.**—AN ACT to extend the provisions of an act entitled "An act for the final adjustment of private land claims in the States of Florida, Louisiana, and Missouri, and for other purposes."

Provisions of act for adjusting private land claims in Florida, &c., extended for three years. *Be it enacted, &c.* That the provisions of the act entitled "An act for the final adjustment of private land claims in the States of Florida, Louisiana, and Missouri, and for other purposes," approved June twenty-second, eighteen hundred and sixty, be, and the same are hereby, extended, and the same shall continue in force for a period of three years from and after the passage of this act.

Claimants, if possession has been continuous since, &c., to have their claims confirmed. **SEC. 2.** That all persons claiming land as specified in the first section of said act may have their claims confirmed, in accordance with the forms and in the manner prescribed in said act, in all cases where it shall be satisfactorily proved that the claimants, and those from whom they derive title, have held continuous possession of the land claimed, from the date of the cession to the United States of the territory out of which the States of Florida, Louisiana, and Missouri were formed. (a)

(a) See Nos. 699, 701, 703, 704, 705, 708, 710, 712, 716, 718, 721, 722, 723, 724, 728, 731, 732, 737, 738, 739, 740, 745, 746, 749, 752, 753, 777, 790, 817, 819, 826, 852, 863, 864, 873, 889, 899, 904, 911, 946, 956, 957, 961.

May 5, 1880. **No. 968.**—AN ACT to confirm the title of Charles Olivier Duclozel to certain lands in the State of Louisiana.

Tract of land confirmed. *Be it enacted, &c.* That a certain tract of land, of ten arpents front by forty arpents in depth, on the west side of Bayou Teche, being section seventy-nine, in township ten south, of range six east, in the State of Louisiana, as per plat of the United States consolidated land office, district of Louisiana, be, and the same is hereby, confirmed to and in Charles Olivier Duclozel, his heirs or assigns.

Patent to issue. **SEC. 2.** That the Secretary of the Interior of the United States is hereby authorized, directed, and required to issue a patent for the lands aforesaid, herein described, to said Charles Olivier Duclozel: *Provided*, That this act and the said patent shall be considered and construed only as a quit-claim on the part of the United States of such title only as the United States have a legal and equitable right to convey, and shall not affect the rights or interests of any other claimants, or affect or preclude any judicial investigation.

June 16, 1880. **No. 969.**—AN ACT to confirm to John Hepting and others title to certain lands.

Certain land confirmed to Lady Abbess and community of Ursuline Lady Nuns of New Orleans. *Be it enacted, &c.* That all the right title claim and interest of the United States to certain tracts of land on the right bank of the Mississippi River opposite the city of New Orleans in the parish of Jefferson and now the site of the village of Mechanicham and described as a tract of land fronting sixteen arpents on the river by forty arpents in depth between parallel lines and further described in the official maps of the General Land Office of the United States as sections three and five, thirty-four, thirty-five and thirty-six in township thirteen south, range twenty-four east, and sections forty, forty-one, forty-two, fifty-seven, fifty-eight and fifty-nine in township fourteen south, range twenty-four east southeast, district of Louisiana, be and the same is hereby granted and conveyed to the Lady Abbess and community of Ursuline Lady Nuns of New Orleans, Louisiana, their successors transferees vendees and assignees: *Provided*, That this shall have the effect only of a quit-claim of all the right title and interest of the United States therein, not to affect any valid adverse right or title to said land nor create any liability on the part of the United States.

Proviso.

MISSOURI.

No. 970.—AN ACT making compensation to John Eugene Leitensdorfer for services rendered the United States in the war with Tripoli.

Feb. 13, 1811.
Vol. 6, p. 97.

Be it enacted, &c., That the Secretary of War be, and he is hereby directed to issue a land warrant to John Eugene Leitensdorfer for three hundred and twenty acres; which said warrant may, at the option of the holder or possessor, be located with any register or registers of the land offices on any of the public lands of the United States, lying on the west side of the Mississippi, then and there offered for sale, or may be received at the rate of two dollars per acre in payment of any such public lands. (a)

Land warrant
to be granted to
Leitensdorfer.

(a) See No. 1032.

No. 971.—AN ACT providing for the government of the Territory of Missouri.

June 4, 1812.
Vol. 2, p. 743.

Be it enacted, &c., That the Territory heretofore called Louisiana shall hereafter be called Missouri, and that the temporary government of the Territory of Missouri shall be organized and administered in the manner herein after prescribed. (a)

Louisiana to be
called Missouri.

SEC. 15. *And be it further enacted,* That the general assembly shall never interfere with the primary disposal of the soil by the United States in Congress assembled, nor with any regulation Congress may find necessary to make for securing the title in the bona-fide purchasers: no tax shall ever be imposed on lands the property of the United States. The lands of non-resident proprietors shall never be taxed higher than those of residents. The Mississippi and Missouri rivers, and the navigable waters flowing into them, and the carrying places between the same, shall be common highways and forever free to the people of the said Territory and to the citizens of the United States, without any tax, duty or impost therefor.

Limitation of
the powers of the
general assembly.

Mississippi
and Missouri
rivers, &c., to be
free.

SEC. 16. *And be it further enacted,* That the laws and regulations in force in the Territory of Louisiana, at the commencement of this act, and not inconsistent with the provisions thereof, shall continue in force until altered, modified or repealed by the general assembly. And it is hereby declared that this act shall not be construed to vacate the commission of any officer in the said Territory, acting under the authority of the United States, but that every such commission shall be and continue in full force as if this act had not been made. And so much of an act, entitled "An act further providing for the government of the Territory of Louisiana," approved on the third day of March, one thousand eight hundred and five, (b) and so much of an act, entitled "An act for erecting Louisiana into two territories and providing for the temporary government thereof," approved the twenty-sixth of March, one thousand eight hundred and four, (c) as is repugnant to this act, shall from and after the first Monday in December next be repealed. On which first Monday in December next this act shall commence and have full force: *Provided,* So much of it as requires the governor of said Territory to perform certain duties previous to the said first Monday of December next shall be in force from the passage thereof.

Laws to con-
tinue in force, &c.

This act not to
vacate commis-
sions.

Repugnant pro-
visions of act of
March 3, 1805,
and of act of
March 26, 1804,
repealed.

This act to com-
mence first Mon-
day of December,
1812.

(a) See Nos. 989, 990, 991, 1034, 1043, 1045, 1068, 1071, 1076.

(b) See No. 702.

(c) See No. 699.

June 13, 1812.
Vol. 2, p. 748.

No. 972.—AN ACT making further provision for settling the claims to land in the Territory of Missouri.

Rights to cer-
tain lots adjoin-
ing to certain
towns, confirm-
ed.

But not to af-
fect rights of oth-
ers, confirmed.

Deputy sur-
veyor to mark
boundary lines,
&c.

And make out
plats.

Expense not
to exceed three
dollars per mile.

Lots to be re-
served for sup-
port of schools.

Proviso.

Claims to dona-
tion lands, under
certain circum-
stances, confirm-
ed.

Subject to cer-
tain limitations.
Other claims to
be confirmed.

Recorder to
make extract of
claims from
books.

To transmit a
copy to General
Land Office, and
furnish deputy
surveyor with
descriptions, &c.

Be it enacted, &c., That the rights, titles and claims, to town or village lots, out-lots, common-field lots and commons, in, adjoining and belonging to the several towns or villages of Portage des Sioux, St. Charles, St. Louis, St. Ferdinand, Villago a Robert, Carondelet, St. Genevieve, New Madrid, New Bourbon, Little Prairie and Arkansas, in the Territory of Missouri, which lots have been inhabited, cultivated, or possessed, prior to the twentieth day of December, one thousand eight hundred and three, shall be and the same are hereby confirmed to the inhabitants of the respective towns or villages aforesaid, according to their several right or rights in common thereto: *Provided*, That nothing herein contained shall be construed to affect the rights of any persons claiming the same lands, or any part thereof, whose claims have been confirmed by the board of commissioners for adjusting and settling claims to land in the said Territory. And it shall be the duty of the principal deputy surveyor for the said Territory as soon as may be, to survey, or cause to be surveyed and marked, (where the same has not already been done, according to law,) the out-boundary lines of the said several towns or villages so as to include the out-lots, common-field lots and commons, thereto respectively belonging. And he shall make out plats of the surveys, which he shall transmit to the surveyor-general, who shall forward copies of the said plats to the Commissioner of the General Land Office, and to the recorder of land titles; the expense of surveying the said out-boundary lines shall be paid by the United States out of any moneys appropriated for surveying the public lands: *Provided*, That the whole expense shall not exceed three dollars for every mile that shall be actually surveyed and marked. (a)

SEC. 2. *And be it further enacted*, That all town or village lots, out-lots, or common-field lots, included in such surveys, which are not rightfully owned or claimed by any private individuals, or held as commons belonging to such towns or villages, or that the President of the United States may not think proper to reserve for military purposes, shall be, and the same are hereby reserved for the support of schools in the respective towns or villages aforesaid: *Provided*, That the whole quantity of land contained in the lots reserved for the support of schools in any one town or village, shall not exceed one-twentieth part of the whole lands included in the general survey of such town or village. (b)

SEC. 3. *And be it further enacted*, That every claim to a donation of lands in the said Territory, in virtue of settlement and cultivation, which is embraced by the report of the commissioners, transmitted to the Secretary of the Treasury, and which by the said report, shall appear not to have been confirmed, merely because permission, by the proper Spanish officer, to settle, has not been duly proven; or because the tract claimed, although inhabited, was not cultivated on the twentieth of December, one thousand eight hundred and three, or not to have been confirmed on account of both said causes; the same shall be confirmed, in case it shall appear that the tract so claimed was inhabited by the claimant or some one for his use prior to the twentieth day of December, one thousand eight hundred and three as aforesaid, and cultivated in eight months thereafter, subject, however, to every other limitation and restriction prescribed by former laws in respect to such claims; and in all cases where it shall appear by the said report or other records of the board that claims to land have not been confirmed merely on the ground that the claim was for a greater quantity than eight hundred arpens, French measure, every such claim to the extent of eight hundred arpens, shall be confirmed. (c)

SEC. 4. *And be it further enacted*, That the recorder of land titles for the said Territory shall, without delay, make an extract from the books of the said board of commissioners of all the claims to land which are, by the preceding section, directed to be confirmed, a copy of which he shall transmit to the Commissioner of the General Land Office; and he shall furnish the principal deputy surveyor with a proper description of the tracts so to be confirmed, wherein the quantity, locality, boundaries and connexion, when practicable with each other, and those tracts that have been confirmed by the board of commissioners shall be stated. And whenever plats of the surveys as herein after directed, shall have been returned to the said recorder's office, it shall be his duty to issue for each tract to be confirmed, as aforesaid, to the person entitled thereto, a certificate in favour of the party, which shall be transmitted to the

Commissioner of the General Land Office; and if it shall appear to the satisfaction of the said Commissioner that such certificate has been fairly obtained, according to the true intent and meaning of this act, then, in that case, patents shall be granted in like manner as is provided by law for the other lands of the United States. (d)

Recorder to issue certificates.

Patents to be granted.

SEC. 5. *And be it further enacted*, That the principal deputy surveyor shall survey, or cause to be surveyed, under the direction of the surveyor-general, so much of the lands in the said Territory, to which the Indian title has been extinguished, as the President of the United States may direct, into townships of six miles square, by lines running due north and south, and others crossing these at right angles; and also the lands, the claims to which are directed to be confirmed, by the third section of this act; and the lands, the claims to which have been confirmed by the board of commissioners, where the same has not already been surveyed under the authority of the United States. And the said principal deputy surveyor shall make out a general and connected plat of all the surveys directed by this act to be made, or which have already been made under the authority of the United States, which he shall transmit to the surveyor-general, who shall transmit copies of the said plat or plats to the recorder of land titles and the Commissioner of the General Land Office. The expense of surveying shall be paid by the United States: *Provided*, the same shall not in the whole exceed three dollars per mile. a mile for every mile that shall be actually surveyed and marked. (e)

Deputy surveyor to survey.

Townships to be laid off.

Plat to be made.

Expense not to exceed three dollars per mile.

SEC. 6. *And be it further enacted*, That in all cases where by reason of the indefinite description of the local situation and boundaries of any tract, the claim to which has been confirmed by the commissioners, the same cannot be ascertained by the principal deputy surveyor, it shall be the duty of the recorder of land titles, on the application of the said principal deputy, to furnish such precise description thereof, as can be obtained from the records in his office, and the books of the said board of commissioners; and for the purpose of the more correctly ascertaining the locality and boundaries of any such tracts, the said principal deputy, shall have free access at all seasonable hours to the books and papers in the recorder's office, relating to land claims, and be permitted to take copies or such extracts therefrom, or any of them, as he may think proper and necessary for the discharge of his duty in executing such surveys. And the said recorder shall be allowed twenty-five cents for the description of each tract which he shall furnish to the principal deputy surveyor as aforesaid.

Recorder to furnish descriptions.

Access to be allowed to books and papers in recorder's office.

Recorder's fee.

SEC. 7. *And be it further enacted*, That every person or persons claiming lands in the Territory of Missouri, who are actual settlers on the lands which they claim, and whose claims have not been heretofore filed with the recorder of land titles for the said Territory, shall be allowed until the first day of December next, to deliver notices in writing, and the written evidences of their claims to the said recorder; and the notices and evidences so delivered within the time limited by this act, shall be recorded in the same manner, and on payment of the same fees as if the same had been delivered before the first day of July, one thousand eight hundred and eight; but the rights of such persons as shall neglect so doing within the time limited by this act, shall, so far as they are derived from, or founded on any act of Congress, ever after be barred and become void, and the evidences of their claims never after admitted as evidence in any court of the United States, against any grant derived from the United States.

Actual settlers allowed till first December, 1812, to furnish evidence of claims, &c.

Barred forever after.

SEC. 8. *And be it further enacted*, That the said recorder of land titles, shall have the same powers, and perform the same duties in relation to the claims thus filed before the first day of December next, and the claims which have been heretofore filed, but not decided on by the commissioners, as the board of commissioners had by former laws respecting claims filed prior to the first day of July, one thousand eight hundred and eight, except that all of his decisions shall be subject to the revision of Congress. And it shall be the duty of the said recorder to make to the Commissioner of the General Land Office a report of all the claims which shall be thus filed before the first day of December next, and of the claims which have been already filed but not decided on by the said commissioners; together with the substance of the evidence in support thereof, with his opinion and such remarks as he may think proper, which report together with a list of the claims which, in the opinion of the said recorder, ought to be confirmed, shall be laid by the Commissioner of the General Land Office before Congress, at their next session,

Power and duty of recorder.

Additional fee to the recorder. for their determination thereon. The said recorder in addition to his salary as fixed by law, shall be allowed fifty cents for each claim which has been filed, but not decided on by the commissioners; or which shall be filed according to this act, and on which he shall make a decision, whether such decision be in favour of, or against the claim, and a further allowance of five hundred dollars, which shall be paid after he shall have made his report to the Commissioner of the General Land Office; which allowance of fifty cents for each claim decided on, and five hundred dollars on the completion of the business, shall be in full compensation for his services, including clerk hire, respecting the claims to be decided on according to this act.

(a) See Nos. 999, 1016, 1119, 1143.

(b) See Nos. 988, 989, 995, 1013, 1016, 1093, 1114, 1142, 1145.

(c) See Nos. 722, 728, 957, 967, 973, 974, 976, 980, 988, 998, 1002, 1007, 1020, 1024, 1041, 1063, 1067, 1102, 1104, 1106, 1107, 1124, 1139, 1143.

(d) See Nos. 189, 701, 973, 974, 977, 1030, 1024, 1143, 1149.

(e) See Nos. 340, 344, 979, 1121.

March 3, 1813. Vol. 2, p. 812. **No. 973.**—AN ACT allowing further time for delivering the evidence in support of claims to land in the Territory of Missouri, and for regulating the donation grants therein.

Further time allowed to claimants within the district of Missouri. *Be it enacted, &c.,* That every person or persons who had filed a notice of claim to any tract of land lying within the District of Louisiana (now Territory of Missouri) with the recorder of land titles, according to law, and have not exhibited any testimony or written evidence in support of the same, and whose claim has not already been confirmed, shall be allowed until the first of January next, to deliver to the recorder of land titles for said Territory the written evidence, or produce other testimony, in support of his or their claim, notice whereof had been filed as aforesaid; and the written evidence delivered to the said recorder within the time limited by this section, in support of claims filed as aforesaid, shall be by him recorded in the same manner, and on receiving the same fees allowed by former acts for recording written evidence of claims to lands in the said district, and the rights of any such person neglecting to deliver the evidence of their claims within the time above mentioned shall become barred and void, in so far as the same was derived from the United States, and the evidence thereof be incapable of being admitted in any court whatsoever.

Written evidence to be given. *SEC. 2. And be it further enacted,* That the recorder of land titles for the said Territory shall have the same powers, and perform the same duties in every respect, in relation to the claims, whereof notice had been filed as aforesaid, and the written evidence in support thereof shall have been delivered, or other testimony produced within the time limited by this act, as the board of commissioners for ascertaining the rights of persons claiming lands in said district would have had or should have performed if the evidence of such claims had been delivered before the first day of July, one thousand eight hundred and eight, except that his decision shall be subject to the revision of Congress.

Duties and powers of recorder. *SEC. 3. And be it further enacted,* That it shall be the duty of the said recorder to make to the Commissioner of the General Land Office a report of all the claims which had been filed, and in support of which evidence shall be received as aforesaid, with the substance of such evidence, together with his opinion, and such remarks as he may think proper, which report, together with a list of the claims which in the opinion of the said recorder ought to be confirmed, shall be laid before Congress at their next session for their determination thereon. (a)

Duties of recorder to report to the Commissioner. *SEC. 4. And be it further enacted,* That every person whose claim to a donation of a tract of land in said district has been confirmed by the board of commissioners appointed for ascertaining the rights of persons claiming lands in said district, and is embraced in their report transmitted to the Secretary of the Treasury, or which has been confirmed by the recorder of land titles, under the third section of the act, entitled "An act making further provision for settling the claims to land in the Territory of Missouri," approved on the thirteenth of June, one thousand eight hundred and twelve, shall be entitled to a grant for six hundred and forty acres, notwithstanding a less quantity shall have been allowed to him by the decision of the said commissioners, or recorder of land titles: *Provided,* That in no case shall the grant be for more land than was claimed by the party in his notice of claim, nor for more land

Claimants when to receive their grants in full.

Limitations of grants.

than is contained within the acknowledged and ascertained boundaries of the tract claimed.

SEC. 5. *And be it further enacted*, That the principal deputy surveyor for the said Territory shall survey or cause to be surveyed, under the direction of the surveyor-general, a tract of six hundred and forty acres of land, to each claimant of a donation tract, whose claim has been confirmed as aforesaid, except as provided by the last preceding section, where the quantity claimed by the party was less than six hundred and forty acres, and where the ascertained boundaries of the tract claimed does not include six hundred and forty acres, in which cases the survey shall contain only the land claimed, and the tracts thus to be surveyed shall consist of unappropriated lands, and shall in every case contain the improved lands, by virtue of the settlement on and cultivation of which the claimant's right to a donation has been confirmed, and in all cases where, by reason of adjacent prior claims, or the contiguity of the improvements of the persons entitled to donation grants, each claimant cannot obtain a tract of six hundred and forty acres, the vacant lands applicable to the object shall be divided between the claimants in such manner as shall appear to the principal deputy surveyor most equitable; and whenever plats of the surveys shall have been returned by the principal deputy surveyor to the office of the recorder of land titles, it shall be the duty of the recorder to issue for each tract, according to the survey returned to him, a certificate in favour of the party to each person entitled thereto, which shall be transmitted to the Commissioner of the General Land Office; and if it shall appear to the satisfaction of the said Commissioner that such certificate was fairly obtained, according to the true intent and meaning of this act, then in that case patents shall be granted in like manner as is provided by law for other lands of the United States. (b)

Survey to be made.

Grants and patents when to be issued.

SEC. 6. *And be it further enacted*, That the said recorder of land titles, in addition to his salary as fixed by law, shall be allowed fifty cents on each claim which had been filed, and in support of which evidence shall have been received, according to the first section of this act, and on which he shall make a decision, whether such decision be in favour of, or against the claim, and a further allowance of five hundred dollars, which shall be paid after he shall have made his report to the Commissioner of the General Land Office, which allowance of fifty cents for each claim decided on, and five hundred dollars on the completion of the business, shall be in full compensation for his services, including clerk hire, respecting the claims to be decided on according to this act.

Salary of the recorder augmented.

Fees and allowance of five hundred dollars on the completion of the business.

(a) See Nos. 189, 701, 972, 974, 977, 1020, 1024, 1143, 1149.

(b) See Nos. 722, 728, 957, 967, 972, 974, 976, 980, 988, 998, 1002, 1007, 1020, 1024, 1041, 1063, 1067, 1102, 1104, 1106, 1107, 1124, 1139, 1143.

No. 974.—AN ACT giving further time for registering claims to lands in the late district of Arkansas, in the Territory of Missouri, and for other purposes.

August 2, 1813.
Vol. 3, p. 86.

Be it enacted, &c., That every person or persons claiming lands in the late district of Arkansas, in the Territory of Missouri, who are actual settlers on the land which they claim, and whose claims have not been heretofore filed with the recorder of land titles for the Territory of Missouri, shall be allowed until the first day of January next, to deliver notices in writing and the written evidence of their claims to the recorder of land titles in the Territory aforesaid; and the notices and evidences so delivered within the time limited by this act, shall be recorded in the same manner, and on payment of the same fees, as if the same had been delivered before the first day of July, one thousand eight hundred and eight; but the right of such persons as shall neglect so doing, within the time limited by this act, shall, so far as they are derived from or founded on any act of Congress, ever after be barred and become void, and the evidences of their claims never after admitted as evidence in any claim of the United States, against any grant derived from the United States. (a)

Further time allowed for filing certain land claims.

Notices to be recorded.

Claims to be barred on failure, if founded on any act of Congress.

SEC. 2. *And be it further enacted*, That the recorder of land titles for the Territory of Missouri, shall have the same powers and perform the same duties in every respect in relation to the claims that may be filed according to the preceding section, as the board of commissioners for ascertaining and adjusting claims to lands in the District of Louisiana would have had or should have performed, if such notice had been

Recorder of land titles for the Territory of Missouri, to have power to settle and adjust land claims, &c.

filed and such evidence delivered before the first day of July, one thousand eight hundred and eight, except that his decisions shall be subject to the revision of Congress.

Recorder to make reports to Commissioner of the General Land Office.

SEC. 3. *And be it further enacted*, That it shall be duty of the said recorder of land titles, to make to the Commissioner of the General Land Office a report of all claims filed with said recorder, with the substance of the evidence in support thereof; and also his opinion, and such remarks respecting the claims as he may think proper to make; which report, together with a list of the claims which in the opinion of the said recorder ought to be confirmed, shall be laid by the Commissioner of the General Land Office before Congress for their determination. (b)

Fees to recorder, which shall be in full for his services.

SEC. 4. *And be it further enacted*, That the said recorder shall be allowed fifty cents for each claim on which a decision shall be made, whether such decision shall be in favour or against the claims, which allowance shall be in full for his services under this act.

Where notice shall have been filed under former laws, claimants to have further time.

SEC. 5. *And be it further enacted*, That in every case where notice of the claim shall have been filed under former laws, and in which no testimony shall have been produced, the claimants shall be allowed until the first day of July, one thousand eight hundred and fourteen, to produce to said recorder testimony in support of such claims; and the said recorder shall in relation to such claims have the same powers and perform the said duties as are required of him on claims filed under this act.

(a) See Nos. 722, 728, 957, 967, 972, 973, 976, 980, 988, 998, 1002, 1007, 1020, 1024, 1041, 1063, 1067, 1102, 1104, 1106, 1107, 1124, 1139, 1143.

(b) See Nos. 189, 701, 972, 973, 977, 1020, 1024, 1143, 1149.

Feb. 10, 1814.
Vol. 6, p. 127.

No. 975.—AN ACT for the relief of Daniel Boone.

Title to a tract of land confirmed.

Be it enacted, &c., That Daniel Boone be, and he is hereby confirmed in his title to one thousand arpens of land, claimed by him by virtue of a concession made to him under the Spanish Government, bearing date the twenty-eighth day of January, 1798, and it shall be the duty of the recorder of land titles for the Territory of Missouri, to issue to the said Daniel Boone, or to his heirs, a certificate in the same manner, and of the same description, as the said Daniel Boone would have been entitled to receive, if his claim to the said land had been confirmed by the commissioners appointed for the purpose of ascertaining the rights of persons claiming land in the Territory of Louisiana, or by the recorder of land titles for the said Territory of Missouri.

April 12, 1814.
Vol. 3, p. 121.

No. 976.—AN ACT for the final adjustment of land titles in the State of Louisiana and Territory of Missouri.

[See LOUISIANA, No. 722.]

Feb. 17, 1815.
Vol. 3, p. 211.

No. 977.—AN ACT for the relief of the inhabitants of the late county of New Madrid, in the Missouri Territory, who suffered by earthquakes.

Lands granted to persons having lands in the county of New Madrid, which were injured by earthquakes, on Nov. 10, 1812.

Be it enacted, &c., That any person or persons owning lands in the county of New Madrid, in the Missouri Territory, with the extent the said county had on the tenth day of November, one thousand eight hundred and twelve, and whose lands have been materially injured by earthquakes, shall be, and they hereby are authorized to locate the like quantity of land on any of the public lands of the said Territory, the sale of which is authorized by law: *Provided*, That no person shall be permitted to locate a greater quantity of land under this act, than the quantity confirmed to him, except the owners of lots of ground or tracts of land of less quantity than one hundred and sixty acres, who are hereby authorized to locate and obtain any quantity of land not exceeding one hundred and sixty acres, nor shall any person be entitled to locate more than six hundred and forty acres, nor shall any such location include any lead mine or salt spring: *And provided also*, That in every case where such location shall be made according to the provisions of this act, the title of the person or persons to the land injured as aforesaid, shall revert to, and become absolutely vested in, the United States.

SEC. 2. *And be further enacted*, That whenever it shall appear to the recorder of land titles for the Territory of Missouri, by the oath or affirmation of a competent witness, or witnesses, that any person or persons are entitled to a tract or tracts of land under the provisions of this act, it shall be the duty of the said recorder to issue a certificate thereof to the claimant or claimants; and upon such certificate being issued, and the location made on the application of the claimants, by the principal deputy surveyor for said Territory, or under his direction, whose duty it shall be, to cause a survey thereof to be made, and to return a plat of each location made to the said recorder, together with a notice in writing, designating the tract or tracts thus located, and the name of the claimant on whose behalf the same shall be made; which notice and plat the said recorder shall cause to be recorded in his office, and shall receive from the claimant for his services on each claim, the sum of two dollars, for receiving the proof, issuing the certificate, and recording the notice and plat as aforesaid; and the surveyor shall be entitled to the same compensation for his services from the party applying, as is allowed for surveying the public lands of the United States. (a)

Manner in which lands shall be located.

SEC. 3. *And be it further enacted*, That it shall be the duty of the recorder of land titles, to transmit a report of the claims allowed, and locations made under this act, to the Commissioner of the General Land Office, and shall deliver to the party a certificate, stating the circumstances of the case, and that he is entitled to a patent for the tract therein designated, which certificate shall be filed with the said recorder within twelve months after date, and the recorder shall thereupon issue a certificate in favour of the party, which certificate being transmitted to the Commissioner of the General Land Office, shall entitle the party to a patent, to be issued in like manner as is provided by law for other public lands of the United States. (b)

A report of his proceedings shall be made to the land office by the recorder.

(a) See Nos. 985, 992, 1004, 1017, 1117.

(b) See Nos. 189, 701, 972, 973, 974, 1020, 1024, 1143, 1149.

No. 978.—AN ACT for the benefit of John P. Maxwell, and Hugh H. Maxwell.

April 27, 1816.
Vol. 6, p. 168.

Be it enacted, &c., That all the right, title, and interest of the United States, of, in, and to, any real estate, whereof a certain James Maxwell died seized, on the twenty-eighth day of May, one thousand eight hundred and fourteen, be, and the same is hereby, released unto John P. Maxwell, of the Missouri Territory, and Hugh H. Maxwell, of the Territory of Illinois, nephews of the said James Maxwell, and the same is hereby vested in the said John P. Maxwell, and Hugh H. Maxwell and their heirs forever, as fully as if they had been citizens of the United States on the said fourteenth day of May, one thousand eight hundred and fourteen; saving and reserving to all persons, other than the United States, any right, title, or interest, of, in, and to, the premises aforesaid, whereof the said James Maxwell died seized, as fully and amply as if this law had never been passed.

Right of the United States relinquished to John P. and Hugh H. Maxwell.

No. 979.—AN ACT to provide for the appointment of a surveyor of the public lands in the Territories of Illinois and Missouri.

April 29, 1816.
Vol. 3, p. 325.

[See ILLINOIS, No. 340.]

No. 980.—AN ACT for the confirmation of certain claims to land in the western district of the State of Louisiana and in the Territory of Missouri.

April 29, 1816.
Vol. 3, p. 328.

[See LOUISIANA, No. 728.]

No. 981.—AN ACT concerning pre-emption rights given in the purchase of lands to certain settlers in the State of Louisiana, and in the Territory of Missouri and Illinois.

April 29, 1816.
Vol. 3, p. 330.

[See LOUISIANA, No. 729.]

April 29, 1816.
Vol. 3, p. 332.

No. 982.—AN ACT to authorize the survey of two millions of acres of the public lands, in lieu of that quantity heretofore authorized to be surveyed, in the Territory of Michigan, as military bounty lands.

[Five hundred thousand acres of land in Missouri to be surveyed and set apart as military bounty lands. See ILLINOIS, No. 342.]

Feb. 17, 1818.
Vol. 3, p. 406.

No. 983.—AN ACT making provision for the establishment of additional land offices in the Territory of Missouri.

A land office at the seat of justice in the county of Howard.

Be it enacted, &c., That, for the disposal of the lands of the United States west of the Mississippi River, and in the Territory of Missouri, in addition to the land office now established by law, there shall be established within the said Territory the following offices, to wit: one at the seat of justice in the county of Howard for all the lands lying within the following boundaries; beginning at a point where the western line of range ten, west from the fifth principal meridian, intersects the north line of township thirty-four; thence, west with said township line, to where the same intersects the Osage boundary line; thence, north with the Osage boundary line, to the Missouri River; thence, up and with the Missouri River, to the western Indian boundary line at the mouth of Kansas River; thence, north with the said western Indian boundary line, to where the same shall intersect the northern Indian boundary line; thence, east with the said northern Indian boundary, to where the same shall intersect the aforesaid west line of range ten; thence, south with the said range line, to the place of beginning. And

A land office in the county of Arkansas.

a land office shall be established in the county of Arkansas, at such place as the President shall deem most convenient, for all the lands in the district bounded as follows: beginning on the river Mississippi, at the thirty-third degree of north latitude; thence, up and with the Mississippi River, to the mouth of St. Francis River, where the base line intersects the same; thence, west with the said base line to where the same shall intersect the meridian on which the Osage boundary line is run; thence, due south, to the thirty-third parallel of latitude; thence, east

A land office at the seat of justice in the county of Lawrence.

with the said parallel, to the place of beginning. And a land office shall be established at the seat of justice in the county of Lawrence, for all the lands in the district bounded as follows: beginning on the base line, at the mouth of the St. Francis; thence, up and with the Mississippi River, to the intersection of the same by the north line of township fifteen north; thence, west with the said north line of township fifteen, to where the same shall intersect the Osage boundary line; thence, due south to the aforesaid base line; thence, east with the said

A land office at the town of Jackson.

base line, to the place of beginning. And a land office shall be established at the town of Jackson, in the county of Cape Girardeau, for all the lands in the district bounded as follows: beginning on the Mississippi River, where the north line of township fifteen north intersects the same; thence, up and with the Mississippi, to its intersection by the north line of township thirty-four north; thence, west with the said north line of township thirty-four, to the Osage boundary line; thence, south with the said boundary, to the north line of township fifteen; thence, east with the said township line, to the place of beginning. And all the lands within the following boundaries shall form a district for the land office established by law at St. Louis, in the county of St. Louis, viz: beginning on the Mississippi River, where the north line of township thirty-four north intersects the same; thence, up and with the Mississippi River to the mouth of Desmoin River; thence, up and with the Desmoin to the north Indian boundary line; thence, west with the said boundary, to the west line of range ten west; thence, south with said range line, to the north line of township thirty-four north; thence, east with the said township line, to the place of beginning. (a)

District of the land office at St. Louis.

Time of opening the land offices, &c.

SEC. 2. *And be it further enacted,* That so soon as, in the opinion of the President of the United States, there shall be a sufficient quantity of the public lands surveyed, within all or either of the land districts hereby established, to authorize the opening of all, or either of the land offices aforesaid, he shall cause the same to be opened, and shall proceed, from time to time, to appoint, with the advice and consent of the Senate, for each of the said offices, a register and a receiver of public moneys, who shall give security in the same sums, and in the same manner, and whose compensation, emoluments, and duties, and authority shall, in

every respect, be the same, in relation to the lands which shall be disposed of at their offices, as are, or may be, provided by law, in relation to the registers and receivers of public moneys in the several land offices established for the disposal of the lands of the United States northwest of the river Ohio and above the mouth of the Kentucky River. Register and receiver to be appointed.

SEC. 3. *And be it further enacted*, That whenever a land office shall have been established in any of the districts aforesaid, and a register and receiver of public moneys appointed for the same, the President of the United States shall be, and he is hereby, authorized to direct so much of the public lands lying in such district as shall have been surveyed according to law to be offered for sale, with the same reservations and exceptions, and on the same terms and conditions in every respect, as was provided for the sale of the public lands in the Territory of Louisiana, by the tenth section of an act entitled "An act providing for the final adjustment of claims to lands, and for the sale of the public lands, in the Territories of Orleans and Louisiana, and to repeal the act passed for the same purpose, and approved February sixteenth, one thousand eight hundred and eleven," except that the register and receiver of public moneys alone may be competent to superintend the public sales, (b) and that, instead of one township for the support of a seminary of learning, there shall be two townships located for the purpose by the Secretary of the Treasury, and reserved from sale: *Provided*, That one of said townships shall be located on the waters of the Missouri and the other on the waters of the Arkansas. (c) Whenever a land office shall have been established, &c., the President to direct lands to be offered for sale, &c.

(a) See Nos. 994, 997, 1001, 1019, 1028, 1064, 1076, 1079, 1095.

(b) See Nos. 729, 981, 997, 1007, 1009, 1010, 1020, 1028, 1083, 1086, 1096, 1110, 1115, 1120, 1121, 1135.

(c) See Nos. 989, 1003, 1018.

No. 984.—AN ACT allowing additional salary and clerk hire to the surveyor for the Illinois and Missouri Territories, and for other purposes.

April 3, 1818.
Vol. 3, p. 412.

[Fixing compensation of surveyors-general for Illinois and Missouri. See ILLINOIS, No. 344.]

No. 985.—AN ACT limiting the time for claims being produced for lands authorized to be granted to the inhabitants of New Madrid.

April 9, 1818.
Vol. 3, p. 417.

Be it enacted, &c., That every person claiming lands in virtue of the act entitled "An act for the relief of the inhabitants of the late county of New Madrid, in the Missouri Territory, who suffered by earthquakes," passed on the seventeenth day of February, one thousand eight hundred and fifteen, shall make application therefor, and produce evidence, in support of his claim, to the recorder of land titles for the said Territory, on or before the first day of January next: and the said recorder shall not issue a certificate for any claim as aforesaid, the evidence in support of which shall not have been produced to him within the time limited as aforesaid. (a) Persons claiming lands in virtue of the act mentioned, to make application, &c., on or before Jan. 1, 1819. Recorder not to issue certificate, in what case.

(a) See Nos. 977, 992, 1004, 1017, 1117.

No. 986.—AN ACT for the relief of James Mackay, of the Missouri Territory.

April 20, 1818.
Vol. 6, p. 213.

Be it enacted, &c., That James Mackay, of the Missouri Territory, be, and he is hereby, authorized to file, with the recorder of land titles at St. Louis, in said Territory, a warrant of survey or concession from the Spanish Government of Louisiana, bearing date the first day of February, one thousand seven hundred and ninety-eight, for the quantity of eighteen hundred arpents of land, granted to James M'Daniel; and it shall be the duty of the said recorder of land titles to examine the evidence which may be produced to him, in relation to the concession and claim to land aforesaid, and shall report the substance of the evidence, with his opinion thereon, to the Commissioner of the General Land Office, which shall be laid before Congress, at their next session, for their decision thereon. Authorized to file with the recorder at St. Louis, a Spanish warrant of survey, &c.

March 2, 1819. No. 987.—AN ACT establishing a separate Territorial government in the southern part of the Territory of Missouri.

[Part of Missouri Territory to form a separate Territory, to be called Arkansaw. See ARKANSAS, No. 1156.]

March 3, 1819. No. 988.—AN ACT explanatory of the act entitled "An act for the final adjustment of land titles in the State of Louisiana and Territory of Missouri."

The provisions of the 5th section of the act of the 12th April, 1814, to be construed as to extend to citizens of Howard County.

Be it enacted, &c., That the provisions of the fifth section of the act of Congress, entitled "An act for the final adjustment of land titles in the State of Louisiana and Territory of Missouri," passed the twelfth day of April, one thousand eight hundred and fourteen, shall be so construed as to extend to the citizens of the county of Howard, in the Missouri Territory, as established by the act of the legislature of the Territory, passed the twenty-third day of January, one thousand eight hundred and sixteen, any construction to the contrary notwithstanding. (a)

The right of pre-emption.

SEC. 2. *And be it further enacted,* That the right of pre-emption given by the aforesaid provisions, as explained and extended by this act, shall not be so construed as to affect any right derived from the United States, by purchase, at public or private sale, of the lands claimed under the aforesaid act.

Persons who would have had the right of pre-emption had not the lands been resurveyed for schools, to have the right of pre-emption, &c.

SEC. 3. *And be it further enacted,* That any person or persons who have settled on and improved, any of the lands in the said Territory, reserved for the use of schools, before the survey of such lands were actually made, and who would have had the right of pre-emption there-to by the existing laws had not the same been so reserved, shall have the right of pre-emption thereto, under the same terms and conditions, and subject to the same restrictions provided for other cases of a right of pre-emption in said Territory and the register of the land office, and receiver of public moneys for the district, shall have power to select any other vacant and unappropriated lands, in the same township, and as near adjacent as lands of equal quantity and like quality can be obtained, in lieu of the section, or parts of a section, which shall have been entered in right of pre-emption, according to the provision of this section. (b)

(a) See Nos. 722, 728, 957, 967, 976, 980, 998, 1002, 1007, 1020, 1024, 1041, 1063, 1067, 1102, 1104, 1106, 1107, 1124, 1139, 1143.

(b) See Nos. 972, 989, 995, 1013, 1016, 1093, 1114, 1142, 1145.

March 6, 1820. No. 989.—AN ACT to authorize the people of the Missouri Territory to form a constitution and State government, and for the admission of such State into the Union on an equal footing with the original States, and to prohibit slavery in certain Territories.

The inhabitants of Missouri authorized to form a constitution and State government, to be admitted into the Union.

Be it enacted, &c., That the inhabitants of that portion of the Missouri Territory included within the boundaries hereinafter designated, be, and they are hereby, authorized to form for themselves a constitution and State government, and to assume such name as they shall deem proper; and the said State, when formed, shall be admitted into the Union, upon an equal footing with the original States, in all respects whatsoever.

Boundaries.

SEC. 2. *And be it further enacted,* That the said State shall consist of all the territory included within the following boundaries, to wit: Beginning in the middle of the Mississippi River, on the parallel of thirty-six degrees of north latitude; thence west, along that parallel of latitude, to the St. Francois River; thence up, and following the course of that river, in the middle of the main channel thereof, to the parallel of latitude of thirty-six degrees and thirty minutes; thence west, along the same, to a point where the said parallel is intersected by a meridian line passing through the middle of the mouth of the Kansas River, where the same empties into the Missouri River, thence, from the point aforesaid north, along the said meridian line, to the intersection of the parallel of latitude which passes through the rapids of the river Des Moines, making the said line to correspond with the Indian boundary line; thence east, from the point of intersection last aforesaid, along the said parallel of latitude, to the middle of the channel of the main fork of the said river Des Moines; thence down and along the middle of the main channel of the said river Des Moines, to the mouth of the same, where it empties into the Mississippi River; thence, due east, to

the middle of the main channel of the Mississippi River; thence down, and following the course of the Mississippi River, in the middle of the main channel thereof, to the place of beginning: *Provided*, The said State shall ratify the boundaries aforesaid; *And provided also*, That the said State shall have concurrent jurisdiction on the river Mississippi, and every other river bordering on the said State, so far as the said rivers shall form a common boundary to the said State; and any other State or States, now or hereafter to be formed and bounded by the same, such rivers to be common to both; and that the river Mississippi, and the navigable rivers and waters leading into the same, shall be common highways, and for ever free, as well to the inhabitants of the said State as to other citizens of the United States, without any tax, duty, impost, or toll, therefor, imposed by the said State. (a)

Proviso: the State to ratify the boundaries, and have concurrent jurisdiction of rivers.

Rivers, &c., to be common highways and free.

SEC. 4. *And be it further enacted*, * * * That the legislature of said State shall never interfere with the primary disposal of the soil by the United States, nor with any regulations Congress may find necessary for securing the title in such soil to the bona-fide purchasers; and that no tax shall be imposed on lands the property of the United States; and in no case shall non-resident proprietors be taxed higher than residents. (b)

Conditions.

SEC. 6. *And be it further enacted*, That the following propositions be, and the same are hereby, offered to the convention of the said Territory of Missouri, when formed, for their free acceptance or rejection, which, if accepted by the convention, shall be obligatory upon the United States:

Propositions offered to the convention for acceptance or rejection.

First. That section numbered sixteen in every township, and when such section has been sold, or otherwise disposed of, other lands equivalent thereto, and as contiguous as may be, shall be granted to the State for the use of the inhabitants of such township, for the use of schools. (c)

Section No. 16 for schools.

Second. That all salt springs, not exceeding twelve in number, with six sections of land adjoining to each, shall be granted to the said State for the use of said State, the same to be selected by the legislature of the said State, on or before the first day of January, in the year one thousand eight hundred and twenty-five; and the same, when so selected, to be used under such terms, conditions, and regulations, as the legislature of said State shall direct: *Provided*, That no salt spring, the right whereof now is, or hereafter shall be, confirmed or adjudged to any individual or individuals, shall, by this section, be granted to the said State: *And provided also*, That the legislature shall never sell or lease the same, at any one time, for a longer period than ten years, without the consent of Congress. (d)

Salt springs and lands adjacent, for the use of the State.

Proviso: salt springs confirmed to individuals &c.

Third. That five per cent. of the net profits of the sale of lands lying within the said Territory or State, and which shall be sold by Congress, from and after the first day of January next, after deducting all expenses incident to the same, shall be reserved for making public roads and canals, of which three-fifths shall be applied to those objects within the State, under the direction of the legislature thereof; and the other two fifths in defraying, under the direction of Congress, the expenses to be incurred in making of a road or roads, canal or canals, leading to the said State. (e)

Five per centum net proceeds of sales of lands for public roads and canals.

Fourth. That four entire sections of land be, and the same are hereby, granted to the said State, for the purpose of fixing their seat of government thereon; which said sections shall, under the direction of the legislature of said State, be located, as near as may be, in one body, at any time, in such townships and ranges as the legislature aforesaid may select, on any of the public lands of the United States: *Provided*, That such locations shall be made prior to the public sale of the lands of the United States surrounding such location.

Four sections of land for a seat of government.

Proviso: location before sale of surrounding lands.

Fifth. That thirty-six sections, or one entire township, which shall be designated by the President of the United States, together with the other lands heretofore reserved for that purpose, shall be reserved for the use of a seminary of learning, and vested in the legislature of said State, to be appropriated solely to the use of such seminary by the said legislature; (f) *Provided*, That the five foregoing propositions herein offered, are on the condition that the convention of the said State shall provide, by an ordinance, irrevocable without the consent of the United States, that every and each tract of land sold by the United States, from and after the first day of January next, shall remain exempt from

Thirty-six sections of land for a seminary of learning.

Proviso.

March 2, 1819. Vol. 3, p. 493. **No. 987.**—AN ACT establishing a separate Territorial government in the southern part of the Territory of Missouri.

[Part of Missouri Territory to form a separate Territory, to be called Arkansaw. See ARKANSAS, No. 1156.]

March 3, 1819. Vol. 3, p. 517. **No. 988.**—AN ACT explanatory of the act entitled "An act for the final adjustment of land titles in the State of Louisiana and Territory of Missouri."

The provisions of the 5th section of the act of the 12th April, 1814, to be construed to extend to citizens of Howard County.

Be it enacted, &c., That the provisions of the fifth section of the act of Congress, entitled "An act for the final adjustment of land titles in the State of Louisiana and Territory of Missouri," passed the twelfth day of April, one thousand eight hundred and fourteen, shall be so construed as to extend to the citizens of the county of Howard, in the Missouri Territory, as established by the act of the legislature of the Territory, passed the twenty-third day of January, one thousand eight hundred and sixteen, any construction to the contrary notwithstanding. (a)

The right of pre-emption.

SEC. 2. *And be it further enacted*, That the right of pre-emption given by the aforesaid provisions, as explained and extended by this act, shall not be so construed as to affect any right derived from the United States, by purchase, at public or private sale, of the lands claimed under the aforesaid act.

Persons who would have had the right of pre-emption had not the lands been resurveyed for schools, to have the right of pre-emption, &c.

SEC. 3. *And be it further enacted*, That any person or persons who have settled on and improved, any of the lands in the said Territory, reserved for the use of schools, before the survey of such lands were actually made, and who would have had the right of pre-emption there- to by the existing laws had not the same been so reserved, shall have the right of pre-emption thereto, under the same terms and conditions, and subject to the same restrictions provided for other cases of a right of pre-emption in said Territory and the register of the land office, and receiver of public moneys for the district, shall have power to select any other vacant and unappropriated lands, in the same township, and as near adjacent as lands of equal quantity and like quality can be obtained, in lieu of the section, or parts of a section, which shall have been entered in right of pre-emption, according to the provision of this section. (b)

(a) See Nos. 722, 728, 957, 967, 976, 980, 998, 1002, 1007, 1020, 1024, 1041, 1063, 1067, 1102, 1104, 1106, 1107, 1124, 1139, 1143.

(b) See Nos. 972, 989, 995, 1013, 1016, 1093, 1114, 1142, 1145.

March 6, 1820. Vol. 3, p. 545.

No. 989.—AN ACT to authorize the people of the Missouri Territory to form a constitution and State government, and for the admission of such State into the Union on an equal footing with the original States, and to prohibit slavery in certain Territories.

The inhabitants of Missouri authorized to form a constitution and State government, to be admitted into the Union.

Be it enacted, &c., That the inhabitants of that portion of the Missouri Territory included within the boundaries hereinafter designated, be, and they are hereby, authorized to form for themselves a constitution and State government, and to assume such name as they shall deem proper; and the said State, when formed, shall be admitted into the Union, upon an equal footing with the original States, in all respects whatsoever.

Boundaries.

SEC. 2. *And be it further enacted*, That the said State shall consist of all the territory included within the following boundaries, to wit: Beginning in the middle of the Mississippi River, on the parallel of thirty-six degrees of north latitude; thence west, along that parallel of latitude, to the St. Francois River; thence up, and following the course of that river, in the middle of the main channel thereof, to the parallel of latitude of thirty-six degrees and thirty minutes; thence west, along the same, to a point where the said parallel is intersected by a meridian line passing through the middle of the mouth of the Kansas River, where the same empties into the Missouri River, thence, from the point aforesaid north, along the said meridian line, to the intersection of the parallel of latitude which passes through the rapids of the river Des Moines, making the said line to correspond with the Indian boundary line; thence east, from the point of intersection last aforesaid, along the said parallel of latitude, to the middle of the channel of the main fork of the said river Des Moines; thence down and along the middle of the main channel of the said river Des Moines, to the mouth of the same, where it empties into the Mississippi River; thence, due east, to

the middle of the main channel of the Mississippi River; thence down, and following the course of the Mississippi River, in the middle of the main channel thereof, to the place of beginning: *Provided*, The said State shall ratify the boundaries aforesaid; *And provided also*, That the said State shall have concurrent jurisdiction on the river Mississippi, and every other river bordering on the said State, so far as the said rivers shall form a common boundary to the said State; and any other State or States, now or hereafter to be formed and bounded by the same, such rivers to be common to both; and that the river Mississippi, and the navigable rivers and waters leading into the same, shall be common highways, and for ever free, as well to the inhabitants of the said State as to other citizens of the United States, without any tax, duty, impost, or toll, therefor, imposed by the said State. (a)

Proviso: the State to ratify the boundaries, and have concurrent jurisdiction of rivers.

Rivers, &c., to be common highways and free.

SEC. 4. *And be it further enacted*, * * * That the legislature of said State shall never interfere with the primary disposal of the soil by the United States, nor with any regulations Congress may find necessary for securing the title in such soil to the bona-fide purchasers; and that no tax shall be imposed on lands the property of the United States; and in no case shall non-resident proprietors be taxed higher than residents. (b)

Conditions.

SEC. 6. *And be it further enacted*, That the following propositions be, and the same are hereby, offered to the convention of the said Territory of Missouri, when formed, for their free acceptance or rejection, which, if accepted by the convention, shall be obligatory upon the United States:

Propositions offered to the convention for acceptance or rejection.

First. That section numbered sixteen in every township, and when such section has been sold, or otherwise disposed of, other lands equivalent thereto, and as contiguous as may be, shall be granted to the State for the use of the inhabitants of such township, for the use of schools. (c)

Section No. 16 for schools.

Second. That all salt springs, not exceeding twelve in number, with six sections of land adjoining to each, shall be granted to the said State for the use of said State, the same to be selected by the legislature of the said State, on or before the first day of January, in the year one thousand eight hundred and twenty-five; and the same, when so selected, to be used under such terms, conditions, and regulations, as the legislature of said State shall direct: *Provided*, That no salt spring, the right whereof now is, or hereafter shall be, confirmed or adjudged to any individual or individuals, shall, by this section, be granted to the said State: *And provided also*, That the legislature shall never sell or lease the same, at any one time, for a longer period than ten years, without the consent of Congress. (d)

Salt springs and lands adjacent, for the use of the State.

Proviso: salt springs confirmed to individuals &c.

Third. That five per cent. of the net profits of the sale of lands lying within the said Territory or State, and which shall be sold by Congress, from and after the first day of January next, after deducting all expenses incident to the same, shall be reserved for making public roads and canals, of which three-fifths shall be applied to those objects within the State, under the direction of the legislature thereof; and the other two fifths in defraying, under the direction of Congress, the expenses to be incurred in making of a road or roads, canal or canals, leading to the said State. (e)

Five per centum net proceeds of sales of lands for public roads and canals.

Fourth. That four entire sections of land be, and the same are hereby, granted to the said State, for the purpose of fixing their seat of government thereon; which said sections shall, under the direction of the legislature of said State, be located, as near as may be, in one body, at any time, in such townships and ranges as the legislature aforesaid may select, on any of the public lands of the United States: *Provided*, That such locations shall be made prior to the public sale of the lands of the United States surrounding such location.

Four sections of land for a seat of government.

Proviso: location before sale of surrounding lands.

Fifth. That thirty-six sections, or one entire township, which shall be designated by the President of the United States, together with the other lands heretofore reserved for that purpose, shall be reserved for the use of a seminary of learning, and vested in the legislature of said State, to be appropriated solely to the use of such seminary by the said legislature; (f) *Provided*, That the five foregoing propositions herein offered, are on the condition that the convention of the said State shall provide, by an ordinance, irrevocable without the consent of the United States, that every and each tract of land sold by the United States, from and after the first day of January next, shall remain exempt from

Thirty-six sections of land for a seminary of learning.

Proviso.

any tax laid by order or under the authority of the State, whether for State, county, or township, or any other purpose whatever, for the term of five years from and after the day of sale; *And further*, That the bounty lands granted, or hereafter to be granted, for military services during the late war, shall, while they continue to be held by the patentees, or their heirs, remain exempt as aforesaid from taxation for the term of three years from and after the date of the patents respectively. (b)

(a) See Nos. 971, 990, 991, 1034, 1043, 1045, 1068, 1071, 1076.

(b) See Nos. 791, 1084.

(c) See Nos. 972, 988, 995, 1013, 1016, 1093, 1114, 1142, 1145.

(d) See Nos. 995, 1009, 1018.

(e) See Nos. 983, 1015, 1103.

(f) See Nos. 983, 1003, 1018.

March 2, 1821. **No. 990.**—RESOLUTION providing for the admission of the State of Missouri into the Union, on a certain condition.

Missouri admitted into the Union on a certain condition, &c. *Resolved, &c.*, That Missouri shall be admitted into this Union on an equal footing with the original States, in all respects whatever, upon the fundamental condition, that the fourth clause of the twenty-sixth section of the third article of the constitution submitted on the part of said State to Congress, shall never be construed to authorize the passage of any law, and that no law shall be passed in conformity thereto, by which any citizen, of either of the States in this Union, shall be excluded from the enjoyment of any of the privileges and immunities to which such citizen is entitled under the Constitution of the United States: *Provided*, That the legislature of the said State, by a solemn public act, shall declare the assent of the said State to the said fundamental condition, and shall transmit to the President of the United States, on or before the fourth Monday in November next, an authentic copy of the said act; upon the receipt whereof, the President, by proclamation, shall announce the fact; whereupon, and without any further proceeding on the part of Congress, the admission of the said State into this Union shall be considered as complete. (a)

Proviso: the legislature of the State to declare its assent, &c.

(a) See Nos. 971, 989, 991, 1034, 1043, 1045, 1068, 1071, 1076.

Aug. 10, 1821. **No. 991.**—A PROCLAMATION by the President of the United States respecting the admission of the State of Missouri into the Union.

Proclamation admitting Missouri into the Union

Whereas the Congress of the United States, by a joint resolution of the second day of March last, entitled "Resolution providing for the admission of the State of Missouri into the Union on a certain condition," did determine and declare—"that Missouri should be admitted into this Union on an equal footing with the original States, in all respects whatever, upon the fundamental condition that the fourth clause of the twenty-sixth section of the third article of the Constitution, submitted on the part of said State to Congress, shall never be construed to authorize the passage of any law, and that no law shall be passed in conformity thereto, by which any citizen of either of the States of this Union shall be excluded from the enjoyment of any of the privileges and immunities to which such citizen is entitled under the Constitution of the United States: *Provided*, That the legislature of the said State, by a solemn public act, shall declare the assent of the said State to the said fundamental condition, and shall transmit to the President of the United States, on or before the first Monday in November next, an authentic copy of said act; upon the receipt whereof, the President, by proclamation, shall announce the fact: whereupon, and without any further proceeding on the part of Congress, the admission of the said State into this Union shall be considered as complete:" And whereas, by a solemn public act of the assembly of the said State of Missouri, passed on the twenty-sixth of June, in the present year, entitled "A solemn public act declaring the assent of this State to the fundamental condition contained in a resolution passed by the Congress of the United States, providing for the admission of the State of Missouri into the Union on a certain condition," an authentic copy whereof has been communicated to me, it is solemnly and publicly enacted and declared, that that State has assented, and does assent, that the fourth clause of the twenty-sixth section of the third article of the constitution of said State "shall never be construed to authorize the passage of

The State of Missouri has assented to the condition prescribed by Congress.

* Little & Brown's edition of 1853. Also in edition of 1846, Appendix II.

any law, and that no law shall be passed in conformity thereto, by which any citizen of either of the United States shall be excluded from the enjoyment of any of the privileges and immunities to which such citizens are entitled under the Constitution of the United States:"

Now, therefore, I, James Monroe, President of the United States, in pursuance of the resolution of Congress aforesaid, have issued this my proclamation, announcing the fact, that the said State of Missouri has assented to the fundamental condition required by the resolution of Congress aforesaid; whereupon the admission of the said State of Missouri into the Union is declared to be complete. (a)

The President announces the fact.

Admission of Missouri declared complete.

In testimony whereof I have caused the seal of the United States of America to be affixed to these presents, and signed the same with my hand. Done at the city of Washington, the tenth day of August, 1821; and of the Independence of the said United States of America the forty-sixth.

JAMES MONROE.

By the President.

JOHN QUINCY ADAMS,
Secretary of State.

(a) See Nos. 971, 989, 990, 1034, 1043, 1045, 1068, 1071, 1076.

No. 992.—AN ACT to perfect certain locations and sales of public lands in Missouri.

April 26, 1822.
Vol. 3, p. 668.

Be it enacted, &c., That the locations heretofore made of warrants issued under the act of the fifteenth [seventeenth] of February, one thousand eight hundred and fifteen, entitled "An act for the relief of the inhabitants of the late county of New Madrid, in the Missouri Territory, who suffered by earthquakes," if made in pursuance of the provisions of that act, in other respects, shall be perfected into grants, in like manner as if they had conformed to the sectional or quarter-sectional lines of the public surveys; and the sales of fractions of the public lands, heretofore created by such locations, shall be as valid and binding on the United States as if such fractions had been made by rivers, or other natural obstructions.

Locations of warrants made under the act of Feb. 17, 1815, if made in pursuance of that act in other respects, shall be perfected into grants, &c. The sales of fractions from such locations, valid, &c.

SEC. 2. *And be it further enacted*, That hereafter the holders and locators of such warrants shall be bound, in locating them, to conform to the sectional or quarter-sectional lines of the public surveys, as nearly as the respective quantities of the warrants will admit; and all such warrants shall be located within one year after the passage of this act; in default whereof the same shall be null and void. (a)

Hereafter holders, &c., of such warrants, are to conform, &c., and such warrants to be located within a year, or they will be null.

(a) See Nos. 977, 985, 1004, 1017, 1117.

No. 993.—AN ACT to provide for paying to the State of Missouri, Mississippi, and Alabama, three per cent. of the net proceeds, arising from the sale of the public lands within the same.

May 3, 1822.
Vol. 3, p. 674.

Be it enacted, &c., That the Secretary of the Treasury shall, from time to time, and whenever the quarterly accounts of public moneys of the several land offices in the said State of Missouri shall be settled, pay three per cent. of the net proceeds of the sales of the lands of the United States, lying within the State of Missouri, which since the first day of January, one thousand eight hundred and twenty-one, have been, or hereafter may be, sold by the United States, after deducting all expenses incidental to the same, to such person or persons as may or shall be authorized by the legislature of the said State of Missouri to receive the same; which sum or sums, thus paid, shall be applied to the making of public roads and canals within the said State of Missouri, under the direction of the legislature thereof, according to the provisions on this subject contained in the act of Congress of the sixth of March, one thousand eight hundred and twenty, entitled "An act to authorize the people of the Missouri Territory to form a constitution and State government, and for the admission of such State into the Union on an equal footing with the original States, and to prohibit slavery in certain Territories," and to no other purpose. And an annual account of the same shall be transmitted to the Secretary of the Treasury, by such officer or person of the State as the legislature thereof shall direct, and of its application, if any be made; and, in default of such return being made,

The Secretary of the Treasury from time to time, to pay 3 per cent. of the net proceeds of the sales of public lands in the State of Missouri since January 1, 1821, deducting expenses, &c.

The sums to be applied to the making of roads and canals in Missouri, under direction of the legislature, &c.

Account of the application of the money to be transmitted to the Secretary of the Treasury.

the Secretary of the Treasury is hereby required to withhold the payment of any sum or sums that may then be due, or which thereafter may become due, until a return shall be made as herein required. (a)

(a) See Nos. 989, 1015, 1103.

March 3, 1823.
Vol. 3, p. 785.

A new land district to be formed, to be called the western district, for which a land office is to be established.

A register and receiver to be appointed.

Township line between townships No. 37 and 38, to form district line.

No. 994.—AN ACT to establish an additional land office in the State of Missouri.

Be it enacted, &c., That so much of the public lands of the United States, as lies west of the range line dividing the twenty-third and twenty-fourth tiers of townships west of the fifth principal meridian, in the present Howard land district, in the State of Missouri, shall form a land district for the disposal of the said lands, to be called the western district; and a land office shall be established at Lexington, in the county of Lillard, for the disposal thereof.

SEC. 2. *And be it further enacted,* That there shall be a register and receiver appointed to the said office, to superintend the sales of the public lands in the said district, who shall reside at the place where said office is established, give security in the same manner and sums, and whose compensation, emoluments, duties, and authorities, shall, in every respect, be the same, in relation to the lands to be disposed of at their offices, as are, or may be, by law, provided in relation to the registers and receivers of public moneys in the several offices established for the sale of the public lands.

SEC. 3. *And be it further enacted,* That, from and after the first day of April next, the division line between the St. Louis and the Jackson land districts, in the State of Missouri, shall be the township line between the townships number thirty-seven and thirty-eight; anything in the former acts, creating land districts in the State of Missouri, to the contrary notwithstanding. (a)

(a) See Nos. 983, 997, 1001, 1019, 1028, 1064, 1076, 1079, 1095.

March 3, 1823.
Vol. 3, p. 787.

Certain lands to be granted to the State of Missouri for schools.

Certain lands granted to salt springs.

No. 995.—AN ACT concerning the lands to be granted to the State of Missouri, for the purposes of education, and other public uses.

Be it enacted &c., That, in all cases in which section number sixteen, in any township within the State of Missouri, has been sold, or otherwise disposed of, it shall be the duty of the register and receiver of the respective land office in whose district such land may lie, so soon after the passage of this act as may be, to select the like quantity of other lands equivalent thereto, from any of the unappropriated lands of the United States in that State, including the residue of such section, where only a part of it has been disposed of, and the value of the residue is not materially diminished by such disposition, and is nearly contiguous to such sixteenth section as may be; and a descriptive entry of such selected lands shall be made on the books of the register, specifying as well the township in which, as that for the use of which, the selection shall have been made; and the lands thus selected and located, are hereby granted to the said State for the use of the inhabitants of the respective townships, for the use of schools, instead of such sixteenth sections so sold or otherwise disposed of. (a)

SEC. 2. *And be it further enacted,* That, in all cases in which the general assembly of the State of Missouri has selected, or shall hereafter select, a salt spring, for the use of the State, according to the provisions of an act of Congress of the sixth of March, one thousand eight hundred and twenty, and the six sections of unappropriated lands cannot be found adjoining to such spring, agreeably to the provisions of said act, the deficiency shall be supplied by the selection of other sections equivalent thereto, and not farther distant than six miles therefrom, of unappropriated lands of the United States in that State, and as nearly adjoining to such spring as may be, shall be subject to the selection of the legislature of the State for the use thereof; and such sections, when so selected and located, are hereby granted according to the provisions of said act: and authenticated copies of the selections made by the register and receiver, under the provisions of this act, shall be furnished the State, and returns transmitted to the Secretary of the Treasury, of the selections now made, and of those to be made, immediately after such selections shall have been made, either by the register and receiver, or by the legislature of the State. (b)

(a) See Nos. 972, 988, 989, 1013, 1016, 1093, 1114, 1142, 1145.

(b) See Nos. 989, 1009, 1018.

No. 996.—AN ACT for the relief of the legal representatives of Firman Le Sieur.

May 5, 1824.
Vol. 6, p. 296.

Be it enacted, &c., That the legal representatives of Firman Le Sieur, late of the State of Missouri, be, and they are hereby, authorized to enter one section of land, in any of the land offices of the State of Missouri, the sale of which is authorized by law, in full satisfaction for a like quantity, patented to them by the United States, on the third day of July, one thousand eight hundred and twenty: *Provided*, Said representatives of Firman Le Sieur shall first release to the United States all claim by virtue of the said patent, and surrender the same to the Commissioner of the General Land Office; and shall confine such entry to lands which have been heretofore offered for public sale, and conformably to the lines of the public surveys.

To enter one section of land in any land office in Missouri.

Proviso.

No. 997.—AN ACT to establish an additional land office in the State of Missouri.

May 26, 1824.
Vol. 4, p. 50.

Be it enacted, &c., That so much of the public lands of the United States included in the present district of St. Louis, in the State of Missouri, as lies within the following boundaries, to wit: Beginning on the Mississippi River, between townships numbered forty-eight and forty-nine, thence west to the range line between ranges ten and eleven; thence north to the township line between townships numbered fifty-two and fifty-three; thence west to the range line between ranges thirteen and fourteen; thence north to the northern boundary line of the State of Missouri; thence east with the State line to the river Desmoines; thence, with the river Desmoines and the State line, to the Mississippi River; thence, with and down the Mississippi River to the place of beginning, so as to include all the islands within the limits of the State of Missouri, shall be formed into a new land district, to be called "the district of Salt River," and, for the sale of the public lands within the district hereby constituted, there shall be a land office established at such place, within the said district, as the President of the United States may designate.

Public lands to be formed into a new land district.

SEC. 2. *And be it further enacted*, That there shall be a register and receiver appointed to said office to superintend the sales of public lands in the said district, and who shall reside at the place where said office is established, give security in the same manner and sums, and whose compensation, emoluments, duties, and authorities, shall, in every respect, be the same, in relation to the lands to be disposed of, at their offices, as are or may be, by law, provided, in relation to the registers and receivers of public moneys, in the several offices established for the sale of the public lands. (a)

A register and receiver to be appointed.

SEC. 3. *And be it further enacted*, That all such public lands, embraced within the district created by this act, which shall have been offered for sale to the highest bidder, at St. Louis, pursuant to any proclamation of the President of the United States, and which lands remain unsold at the taking effect of this act, shall be subject to be entered and sold, at private sale, by the proper officer or officers of the land office hereby created, in the same manner, and subject to the same terms and upon the like conditions, as the sales of said lands would have been subjected to, in the land office at St. Louis, had they remained attached to that office. (b)

All lands embraced within said district, which have been offered for sale pursuant to any proclamation of the President, and now remain unsold, liable to be disposed of at private sale.

(a) See Nos. 983, 994, 1001, 1019, 1028, 1064, 1076, 1079, 1095.

(b) See Nos. 729, 981, 983, 1007, 1009, 1010, 1020, 1028, 1083, 1086, 1096, 1110, 1115, 1120, 1121, 1135.

No. 998.—AN ACT enabling the claimants to lands within the limits of the State of Missouri and Territory of Arkansas to institute proceedings to try the validity of their claims.

May 26, 1824.
Vol. 4, p. 52.

Be it enacted, &c.; That it shall and may be lawful for any person or persons, or their legal representatives, claiming lands, tenements, or hereditaments, in that part of the late province of Louisiana which is now included within the State of Missouri, by virtue of any French or Spanish grant, concession, warrant, or order of survey, legally made, granted, or issued, before the tenth day of March, one thousand eight hundred and four, by the proper authorities, to any person or persons resident in the province of Louisiana, at the date thereof, or on or before the tenth day of March, one thousand eight hundred and four, and which was protected or secured by the treaty between the United

Persons claiming lands &c., in that part of the late province of Louisiana, now included within the State of Missouri, by virtue of any French or Spanish grant, &c., legally made, and before the 10th March.

1804, to present petitions to the district court of the State of Missouri.

States of America and the French Republic, of the thirtieth day of April, one thousand eight hundred and three, and which might have been perfected into a complete title, under and in conformity to the laws, usages, and customs, of the government under which the same originated, had not the sovereignty of the country been transferred to the United States, in each and every such case, it shall and may be lawful for such person or persons, or their legal representatives, to present a petition to the district court of the State of Missouri, setting forth, fully, plainly, and substantially, the nature of his, her, or their claim to the lands, tenements, or hereditaments, and particularly stating the date of the grant, concession, warrant, or order of survey, under which they claim, the name or names of any person or persons claiming the same, or any part thereof, by a different title from that of the petitioner; or holding possession of any part thereof, otherwise than by the lease or permission of the petitioner; and, also, if the United States be interested on account of the lands within the limits of such claim, not claimed by any other person than the petitioner; also, the quantity claimed, and the boundaries thereof, when the same may have been designated by boundaries, by whom issued, and whether the said claim has been submitted to the examination of either of the tribunals which have been constituted by law for the adjustment of land titles in the present limits of the State of Missouri, and by them reported on unfavourably, or recommended for confirmation; praying, in said petition, that the validity of such title, or claim, may be inquired into and decided by the said court; and the said court is hereby authorized and required to hold and exercise jurisdiction of every petition, presented in conformity with the provisions of this act, and to hear and determine the same, on the petition, in case no answer or answers be filed after due notice: or on the petition, and the answer or answers of any person or persons interested in preventing any claim from being established: and the answer of the district attorney of the United States, where he may have filed an answer, according to the evidence which shall be adduced by the petitioner, by any person interested in preventing the decree of the court in favour of the title of the petitioner or petitioners, and by the United States, and in conformity with the principles of justice, and according to the laws and ordinances of the government under which the claim originated, and the copy of such petition, with a citation to any adverse possessor, or claimant, shall be served on such possessor or claimant in the ordinary legal manner of serving such process in the State of Missouri, at least fifteen days before the term of the district court of the United States, to which the same is made returnable, and, in like manner, on the district attorney of the United States, where the Government is interested in the defence; and it shall be the duty of the United States' attorney for the district in which the suit shall be instituted, in all cases where the United States are interested on account of the public domain, to take notice of each petition filed under the provisions of this act, in the said district, and to make defence, on all just and proper occasions, in behalf of the public interest.

Every petition presented under this act, to be conducted according to the rules of a court of equity.

SEC. 2. *And be it further enacted*, That every petition which shall be presented under the provisions of this act, shall be conducted according to the rules of a court of equity, except that the answer of the district attorney of the United States shall not be required to be verified by his oath, and tried, without any continuance, unless for cause shown; and the said court shall have full power and authority to hear and determine all questions arising in said cause, relative to the title of the claimants, the extent, locality, and boundaries of the said claim, or other matters connected therewith, fit and proper to be heard and determined, and, by a final decree, to settle and determine the question of the validity of the title, according to the law of nations, the stipulations of any treaty, and proceedings under the same; the several acts of Congress in relation thereto; and the laws and ordinances of the government from which it is alleged to have been derived; and all other questions properly arising between the claimants and the United States; which decree shall, in all cases, refer to the treaty, law, [or] ordinance, under which it is confirmed or decreed against; and the court may, at its discretion, order disputed facts to be found by a jury, according to the regulations and practice of the said court, when directing issues in chancery before the same court: and, in all cases, the party against whom the judgment or decree of the said district court may be finally given, shall be enti-

tled to an appeal, within one year from the time of its rendition, to the Supreme Court of the United States, the decision of which court shall be final and conclusive between the parties; and, should no appeal be taken, the judgment or decree of the said district court shall, in like manner, be final and conclusive.

Appeal.

SEC. 3. *And be it further enacted*, That the evidence which has been received by the different tribunals which have been constituted and appointed by law to receive such evidence, and to report the same to the Secretary of [the] Treasury, or to the Commissioner of the General Land Office, upon all claims presented to them respectively, shall be received and admitted in evidence for or against the United States, in all trials under this act, when the person testifying is dead, or beyond the reach of the court's process; together with such other testimony as it may be in the power of the petitioner, the person or persons interested in the defence made against establishing any claim, or the United States' attorney, to produce, and which shall be admissible, according to the rules of evidence, and the principles of law.

The evidence received by the different tribunals, shall be admitted as such for or against the United States in all trials under this act, when the person testifying is dead.

SEC. 4. *And be it further enacted*, That, in all cases in which evidence shall be offered by the petitioner, which has not been received by either of the tribunals constituted by law for that purpose, it shall be the duty of the attorney of the United States for the district in which the suit shall be instituted, or any person interested in the defence may examine, or cause to be examined, the witnesses, whether examined in court, or by commission under the authority thereof; and it shall be the duty of the Commissioner of the General Land Office of the United States, or the keeper of any public records, who may have possession of the records and evidence of the different tribunals, which have been constituted by law for the adjustment of land titles in Missouri, as held by France, upon the application of any person or persons, whose claim to lands has been rejected by such tribunals, or either of them, or on the application of any person interested, or by the attorney of the United States for the district of Missouri, to furnish copies of such evidence, certified under his official signature, with the seal of office thereto annexed, if there be a seal of office.

Duty of the attorney in all cases in which evidence shall be offered, not received by either of the tribunals constituted for that purpose.

SEC. 5. *And be it further enacted*, That any claim to lands, tenements, or hereditaments, within the purview of this act, which shall not be brought by petition before the said courts, within two years from the passing of this act, or which, after being brought before the said courts, shall, on account of the neglect or delay of the claimant, not be prosecuted to a final decision within three years, shall be forever barred, both at law and [in] equity, and no other action, at common law, or proceeding in equity, shall ever thereafter be sustained in any court whatever, in relation to said claims.

Any claim to lands, &c., under this act which shall not be brought by petition before the said courts, within two years, forever barred.

SEC. 6. *And be it further enacted*, That, upon the final decision of any claim prosecuted under this act, in favour of the claimant or claimants, it shall and may be lawful for such claimant to demand and receive from the clerk of the court in which such final decision is had, a copy of the decree, in his, her, or their favour, under the official signature of the clerk, and the seal of the court, if any seal belong to it, and deliver the same to the surveyor of public lands, for the State of Missouri, who shall, thereupon, cause the land specified in said decree to be surveyed, at the expense of the party; and duplicate plats, and certificates of the survey, so made, to be returned into his office, one of which shall remain in said office, and the other, authenticated by the attestation and official signature of the surveyor of public lands, shall be delivered, on demand, to the party interested therein, and the same being presented to the Commissioner of the General Land Office, in Washington City, shall entitle the party interested to a patent from the President of the United States.

Upon the final decision of any claim prosecuted under this act, in favor of the claimant, such claimant is authorized to demand and receive of the clerk of the court a copy of the decree in his favor.

And a patent.

SEC. 7. *And be it further enacted*, That in each and every case in which any claim, tried under the provisions of this act, shall be finally decided against the claimant, and in each and every case in which any claim cognisable, under the terms of this act, shall be barred by virtue of any of the provisions contained therein, the land specified in such claim shall, forthwith, be held and taken as a part of the public lands of the United States, subject to the same disposition as any other public land in the same district.

When any claim has been decided against the claimant, or barred, the land shall belong to the United States.

SEC. 8. *And be it further enacted*, That the clerk of said court shall, and he is hereby directed, when any petition of claim is filed, under the provisions of this act, before any proceedings thereon, to require good and sufficient security for all cost and charges which may accrue

The clerk of the court shall, when any petition of claim is filed under this

act, require good and sufficient security to answer certain purposes.

Fees.

Duty of the attorney where the decision is against the United States.

The marshal to attend the said court while in session.

The party interested, where the lands, &c., decreed to any claimant under this act, shall have been sold by the United States or have been heretofore located, to enter a like quantity in any land office in Missouri.

To carry this act into effect, the judge of the Missouri district shall hold his sessions at the town of St. Louis, &c.

thereon in prosecuting the same to a final decree; and the district attorney, clerk, marshal, attending witnesses, and jurors, shall severally be allowed such fees for their services and attendance as may be allowed by law for the like services and attendance in the district court of the State of Missouri, to be paid by the party calling for such service or attendance, except where the petitioner or petitioners fail to prosecute his, her, or their suit, or claim to a final decree, or to obtain a final decree in his, her, or their favour, or where any such title or claim may have been presented to the commissioner or the register and receiver, acting as commissioners for the examination of titles and claims to land in said district, and by them has been reported unfavourably on, in all of which cases, all cost, charges, and expenses of such prosecutions, shall be paid by the petitioner or petitioners; that the clerk of the court, in which the final decree shall be had, shall be allowed one dollar and fifty cents for the official copy of such final decree; that the surveyor of public lands shall be allowed one dollar for each of the official certificates required of him, and the keeper of the records and evidence, taken under former acts of Congress, for the adjustment of land titles, shall be allowed at the rate of ten cents for every hundred words contained in any such written evidence of their claim, to be paid by the party applying therefor.

SEC. 9. *And be it further enacted*, That it shall be the duty of the attorney of the United States for the district in which the suits authorized by this act shall be instituted, in every case where the decision is against the United States, and the claim exceeds one thousand acres, to make out and transmit, to the Attorney-General of the United States, a statement containing the facts of the case, and the points of law on which the same was decided; and if the Attorney-General shall be of opinion that the decision of the district court was erroneous, it shall be his duty to direct an appeal to be made to the Supreme Court of the United States, and to appear for, and prosecute, the said appeal in that court; and it shall be the further duty of the district attorney to observe the instruction given to him by the Attorney-General in that respect. (a)

SEC. 10. *And be it further enacted*, That it shall be the duty of the marshal of the State of Missouri, by himself or deputy, to attend the said court while in session, and to execute all process to him directed by the court, under this act.

SEC. 11. *And be it further enacted*, That if, in any case, it should so happen that the lands, tenements, or hereditaments, decreed to any claimant, under the provisions of this act, shall have been sold by the United States, or otherwise disposed of, or if the same shall not have been heretofore located, in each and every such case, it shall and may be lawful for the party interested to enter, after the same shall have been offered at public sale, the like quantity of land, in parcels, conformable to sectional divisions and subdivisions, in any land office in the State of Missouri; and, if it should so happen, that, in making such entries, there should remain in the hands of the enterer a fractional excess of acres, of less number than the smallest sectional divisions authorized by law to be sold, it shall and may be lawful for the party interested to enter, in virtue of such fractional excess, the quantity of one-half quarter-section, upon paying one dollar and twenty-five cents for each acre contained in such half quarter-section, over and above the fractional excess to which he may be entitled by such confirmation. (b)

SEC. 12. *And be it further enacted*, That, for the purpose of carrying into effect the provisions of this act, the judge of the district court for the State of Missouri, shall hold his sessions at the following places, viz: at the town of St. Louis, in the county of St. Louis, on the third Monday of September next; at the town of St. Genevieve, in the county of St. Genevieve, on the third Monday of December next, and at the town of Jackson, in the county of Cape Girardeau, on the third Monday of April next; he shall appoint his own clerks; and after the first and each of the said sessions, he shall thereafter sit, upon his own adjournments, at the places aforesaid, until all the business before him shall be completed, or the time limited by this act shall have expired, of which said adjournments, and the time of holding the special sessions, aforesaid, public notice shall be given at each of the places aforesaid, and at such other places, in the State of Missouri, as he shall direct:

Provided, That at either of the places aforesaid, the court may take cognizance and jurisdiction of any claim within the limits of the State: *Provided, moreover*, That, if there should be any person defending against the confirmation of such claim, in such case the trial, in case he shall request the same, shall be had at that place nearest the residence of such person defending against such confirmation: *Provided*, That none of the provisions of this act shall be applied to a claim of the representatives or assignees of Jacques Clamorgan, deceased, lying between the Missouri and Mississippi rivers and covering parts of the counties of St. Charles and Lincoln, in the State of Missouri.

The court may take cognizance of any claim within the State.

This act shall not apply to the claims of Jacques Clamorgan.

SEC. 14. *And be it further enacted*, That all the provisions of this act shall extend to, and be applicable to, the Territory of Arkansas; and, for the purpose of finally settling and adjusting the titles and claims to lands derived from the French and Spanish Governments, respectively, the superior court for the Territory of Arkansas, shall have, hold, and exercise jurisdiction in all cases, in the same manner, and under the same restrictions and regulations, in all respects, as by this act is given to the district court for the State of Missouri; and the judges of the superior court, clerk of said court, marshal, and district attorney of the United States, for the said Territory, shall, severally, perform the same duties, and have the same powers in relation to the claims to land presented and prosecuted in said court, in the Territory of Arkansas, as is herein provided with regard to the titles and claims to land presented and prosecuted in the district court for the State of Missouri, and the judges of said superior court, the clerk, marshal, and district attorney, shall, each, severally, receive the same fees, emoluments, and compensation for their services, as is in this act provided, in regard to the district judge, clerk, marshal, and district attorney in the State of Missouri; and the said court shall commence its first session on the first Monday in October next, at Little Rock, in the Territory of Arkansas; and, afterwards, shall sit upon its own adjournments at the place aforesaid, until all the business before it shall be completed, or the time limited by this act shall have expired; of which public notice shall be given, as is provided in this act, in relation to the district court of the State of Missouri: *Provided*, That in all cases of a decree against the United States, for a greater quantity of land than five hundred acres, in the superior court of Arkansas, it shall be the duty of the attorney of the United States, to transmit to the Attorney-General of the United States, so soon as may be, a like statement of the facts and points of law in the case, as is required of the district attorney of Missouri, and the same right of appeal, from the decisions of the court in Arkansas, shall be allowed to each party, that are prescribed in relation to decisions in the district court of Missouri. (a)

All the provisions of this act to extend to, &c., the Territory of Arkansas.

The judges of the superior court, clerk, marshal, and district attorney, to perform the same duties, and have the same powers, as in other cases.

Proviso.

SEC. 15. *And be it further enacted*, That none of the provisions of the fourteenth section shall extend to claims of a larger amount than one league square.

Former section not to extend to claims above one league square.

- (a) See Nos. 722, 723, 957, 967, 972, 973, 974, 976, 980, 983, 1002, 1007, 1020, 1024, 1041, 1063, 1067, 1102, 1104, 1106, 1107, 1124, 1139, 1143.
(b) See Nos. 957, 1041, 1102, 1106, 1107.

NO. 999.—AN ACT supplementary to an act passed on the thirteenth day of June, one thousand eight hundred and twelve, entitled "An act making further provision [provisions] for settling the claims to land in the Territory of Missouri."

May 26, 1824.
Vol. 4, p. 65.

Be it enacted, &c., That it shall be the duty of the individual owners, or claimants, of town or village lots, out-lots, and common field lots, in, adjoining or belonging to, the several towns, or villages, of Portage des Sioux, St. Charles, St. Louis, St. Ferdinand, Villa a Robert, Carondelet, St. Genevieve, New Madrid, New Bourbon, and Little Prairie, in Missouri, and the village of Arkansas, in the Territory of Arkansas, whose lots were confirmed by the act of Congress of the thirtieth [thirteenth] of June, one thousand eight hundred and twelve, entitled "An act making further provision for settling the claims to land in the Territory of Missouri," on the ground of inhabitation, cultivation, or possession, prior to the twentieth day of December, one thousand eight hundred and three, to proceed, within eighteen months after the passage of this act, to designate their said lots, by proving, before the recorder of land titles for said State and Territory, the fact of such inhabitation, cultivation, or possession,

Duty of the individual owners or claimants of village and other lots, in certain towns in Missouri and Territory of Arkansas, which were confirmed by the act of June 13, 1812.

and the boundaries and extent of each claim, so as to enable the surveyor-general to distinguish the private from the vacant lots, appertaining to the said towns and villages.

Duty of the
surveyor-general.

SEC. 2. *And be it further enacted*, That, immediately after the expiration of the said term allowed for proving such facts, it shall be the duty of the surveyor-general, within whose district such lots lie, to proceed, under the instructions of the Commissioner of the General Land Office, to survey, designate, and set apart to the said towns and villages, respectively, so many of the said vacant town or village lots, out-lots, and common-field lots, for the support of schools in the said towns and villages, respectively, as the President of the United States shall not, before that time, have reserved for military purposes, and not exceeding one-twentieth part of the whole lands included in the general survey of such town, or village, according to the provisions of the second section of the above-mentioned act of Congress; and also, to survey and designate, so soon after the passage of this act as may be, the commons belonging to the said towns and villages, according to their respective claims and confirmations, under the said act of Congress, where the same has not been already done: *Provided*, That lots relinquished to the United States on account of damages done them by the earthquakes, and in lieu of which lands have been located elsewhere, shall neither be so designated or set apart, nor taken into the estimate of the quantity to which any town or village is entitled.

Proviso.

The recorder to
issue a certificate
of confirmation
for each claim
confirmed and to
receive one dol-
lar therefor.

SEC. 3. *And be it further enacted*, That the recorder shall issue a certificate of confirmation for each claim confirmed, and shall receive for the services required of him by this act, the sum of one dollar for each lot so proved to have been inhabited, cultivated, and possessed, to be paid by the respective claimants; and, so soon as the said term shall have expired, he shall furnish the surveyor-general with a list of the lots so proved to have been inhabited, cultivated, or possessed, to serve as his guide in distinguishing them from the vacant lots to be set apart as above described, and shall transmit a copy of such list to the Commissioner of the General Land Office.

The provisions
of this act and
the act aforesaid,
to extend to the
village of Mine à
Burton.

SEC. 4. *And be it further enacted*, That the provisions of this act, and of the aforesaid act of the thirtieth [thirteenth] of June, one thousand eight hundred and twelve, be, and the same are hereby extended to the village of Mine à Burton, and the right of filing their claims with the recorder. (a)

(a) See Nos. 972, 1016, 1119, 1143.

March 31, 1826.
Vol. 6, p. 338.

No. 1000.—AN ACT for the relief of Richard Matson.

Authorized to
withdraw his lo-
cations of war-
rants, and locate
them elsewhere.

Be it enacted, &c., That Richard Matson, of the State of Missouri, be, and he is hereby, authorized to withdraw his locations of warrant number one hundred and fifty-five, for six hundred and forty acres, and of warrant number one hundred and forty-three, for two hundred arpens of land, issued by the recorder of land titles in the State of Missouri, and located on the twentieth of June, one thousand eight hundred and eighteen, in township fifty-five north, range three west, in said State, and since mostly covered by a confirmed Spanish grant; and to locate the same warrants upon any of the unappropriated lands of the United States, in the State of Missouri, that were liable to be located, under the act of the seventeenth of February, eighteen hundred and fifteen, for the relief of sufferers by earthquakes; conforming such relocations, as nearly as may be, to the divisional lines of the public surveys, and subject, in all respects, to said act of the seventeenth of February, eighteen hundred and fifteen: *Provided*, That the said warrants shall be located within one year from the passing of this act, and on lands which have not before been located or sold.

Proviso.

May 4, 1826.
Vol. 4, p. 158.

No. 1001.—AN ACT to extend the lines of certain land districts in the State of Missouri.

Boundaries of
the districts.

Be it enacted, &c., That the western boundary of the land district of Cape Girardeau, and of the western district in the State of Missouri, be and the same is hereby, extended to the western boundary of the State of Missouri. (a)

(a) See Nos. 983, 994, 997, 1019, 1022, 1064, 1076, 1079, 1095.

No. 1002.—AN ACT for the relief of Phineas Underwood, and for other purposes.

May 22, 1826.
Vol. 6, p. 355.

SEC. 2. *And be it further enacted,* That the time for filing petitions under the provisions of an act entitled "An act enabling the claimants to lands within the limits of the State of Missouri, and Territory of Arkansas, to institute proceedings to try the validity of their claims," shall be, and the same is hereby, extended to the twenty-sixth day of May, in the year one thousand eight hundred and twenty-eight. (a)

Time of filing petitions extended to May 26th, 1828.

(a) See Nos. 722, 728, 957, 967, 972, 973, 974, 976, 980, 988, 998, 1007, 1020, 1024, 1041, 1063, 1067, 1102, 1104, 1106, 1107, 1124, 1139, 1143.

No. 1003.—AN ACT concerning the selection of certain lands heretofore granted by compact, to the State of Missouri, for seminaries of learning.

Jan. 24, 1827.
Vol. 4, p. 200.

Be it enacted, &c., That it shall be the duty of the President of the United States, as soon as may be, to cause to be selected, from any of the public lands of the United States in Missouri, the sale of which is authorized by law, and in quantities not less than a section, according to the divisional lines of the public surveys, the several townships of land heretofore secured by compact to the State of Missouri, for the purposes of a seminary or seminaries of learning in that State, and to cause one descriptive list of such selections to be filed with the governor of Missouri, in the office of the secretary of that State; and another like list to be filed in the General Land Office of the United States; and the lands so selected shall, immediately thereupon, vest in the State of Missouri, according to, and in satisfaction of, the above-mentioned compact with the United States. (a)

Certain lands to be selected for seminaries of learning.

(a) See Nos. 983, 989, 1018.

No. 1004.—AN ACT supplementary to "An act to perfect certain locations and sales of the public lands in Missouri," passed April the twenty-six, [sixth,] one thousand eight hundred and twenty-two.

March 2, 1827.
Vol. 4, p. 219.

Be it enacted, &c., That the locations of lands heretofore made according to law, by virtue of warrants issued under the act of Congress, passed the seventeenth day of February, one thousand eight hundred [and] fifteen, for the relief of the inhabitants of the late county of New Madrid, in the Missouri Territory, who suffered by earthquakes, in lieu of lots and out-lots, in and adjacent to the villages of New Madrid and Little Paririe, and not exceeding six hundred and forty acres in the whole to any one sufferer, shall be perfected into grants in the manner prescribed by the last-mentioned act of Congress, any construction thereof to the contrary notwithstanding. (a)

The location of lands for the relief of the inhabitants of the late county of New Madrid, to be perfected into grants.

(a) See Nos. 977, 985, 992, 1017, 1117.

No. 1005.—AN ACT for the relief of William Gentry, of Missouri.

May 9, 1828.
Vol. 6, p. 377.

Be it enacted, &c., That William Gentry, of Saline County, in the State of Missouri be, and he is hereby, authorized to relinquish to the United States the northwest quarter of section twenty-five, in township fifty, in range twenty, west, of the fifth principal meridian, in Missouri; and to enter, instead thereof, the northeast quarter of the same section, if it shall remain unsold when he shall make his application; or if it shall have been sold, then he may enter any other quarter-section, in the same land district, that shall be liable to entry at private sale, instead of the said northeast quarter; for which he has heretofore paid the United States, in consequence of the mistake of the clerk in the register's office, at Franklin, in inserting the said northwest quarter in the entry.

May relinquish a certain tract of land, and enter another in lieu thereof.

No. 1006.—AN ACT for the benefit of John B. Dupuis.

May 19, 1828.
Vol. 6, p. 377.

Be it enacted, &c., That a location of a Madrid certificate, made on the twenty-second day of April, in the year one thousand eight hundred and twenty-three, for six hundred and forty acres, in the State of Missouri, being the southwest quarter of section twenty-two, the northeast quarter of section twenty-eight, and the northern half of section twenty-seven, in township fifty-two north, range seventeen west, in the name

Location of a Madrid certificate for land confirmed.

Proviso.

of John B. Dupuis, be, and the same is hereby, confirmed, and that a patent for the same shall issue to the said John B. Dupuis, upon the presentation of a plat and certificate of the survey thereof, at the proper office: *Provided, however,* That it shall operate as a relinquishment only on the part of the United States.

May 24, 1828.
Vol. 4, p. 298.

No. 1007.—AN ACT to continue in force for a limited time, and to amend an act, entitled "An act to enable claimants to lands within the limits of the State of Missouri and Territory of Arkansas, to institute proceedings to try the validity of their claims."

Act of May 26th, 1824, continued in force.

Be it enacted, &c., That the act approved the twenty-sixth of May, eighteen hundred and twenty-four, entitled "An act to enable claimants to lands within the limits of the State of Missouri and Territory of Arkansas, to institute proceedings to try the validity of their claims," shall be, and the same hereby is, continued in force: that is to say, for the purpose of filing petitions in the manner prescribed by that act, to and until the twenty-sixth day of May, in the year one thousand eight hundred and twenty-nine, and for the purpose of enabling the claimants to obtain a final decision on the validity of their claims in the courts of Missouri and Arkansas, respectively; the said claims having been exhibited within the time above specified; the said act shall be continued in force to, and until, the twenty-sixth day of May, in the year one thousand eight hundred and thirty, and no longer; and the courts having cognisance of said claims shall decide upon and confirm such as would have been confirmed under the laws, usages, and customs of the Spanish Government, for two years, from and after the twenty-sixth day of May, one thousand eight hundred and twenty-eight, and all the claims authorized by that act, to be heard and decided, shall be ratified and confirmed to the same extent that the same would be valid if the country in which they lie had remained under the dominion of the sovereignty in which said claims originated.

So much of the said act as subjects the claimants to the payment of costs, in any case where the decision may be in favor of their claims, repealed.

SEC. 2. *And be it further enacted,* That so much of the said act as subjects the claimants to the payment of costs in any case where the decision may be in favour of their claims, be and the same is hereby repealed, and the costs shall abide the decision of the cause as in ordinary causes before the said court; and so much of the said act as requires the claimants to make adverse claimants parties to their suits, or to show the court what adverse claimants there may be to the land claimed of the United States, be also hereby repealed. And the confirmations had by virtue of said act, and the patents issued thereon, shall operate only as relinquishment of title on the part of the United States, and shall, in no wise, affect the right or title, either in law or equity, of adverse claimants of the same land. (a)

Where any claim, founded on concession, &c., shall be adjudged against and rejected.

SEC. 3. *And be it further enacted,* That where any claim, founded on concession, warrant, or order of survey, shall be adjudged against and rejected, the claimant or his legal representatives, by descent or purchase, being actual inhabitants and cultivators of the soil, the claim to which shall have been rejected, shall have the right of pre-emption, at the minimum price of the public lands, so soon as the land shall be surveyed and subdivided by the United States, of the quarter-section on which the improvement shall be situate, and so much of every other quarter-section which contains any part of the improvement, as shall be within the limits of the rejected claim. (b)

(a) See Nos. 722, 728, 957, 967, 972, 973, 974, 976, 980, 988, 998, 1002, 1020, 1024, 1041, 1063, 1067, 1102, 1104, 1106, 1107, 1124, 1139, 1143.

(b) See Nos. 729, 981, 983, 997, 1009, 1010, 1020, 1028, 1083, 1086, 1096, 1110, 1115, 1120, 1121, 1135.

May 24, 1828.
Vol. 6, p. 386.

No. 1008.—AN ACT confirming to Francis Valle, Jean Baptiste Valle, Jean Baptiste Pratte, and St. James Beauvois, or to their heirs or legal representatives of the county of Madison, in the State of Missouri, certain lands.

A tract of land in Missouri confirmed to them.

Be it enacted, &c., That there be, and hereby is, confirmed to Francis Valle, Jean Baptiste Valle, Jean Baptiste Pratte, and St. James Beauvois, or in case of their or either of their decease, to their heirs, or either of their heirs, or legal representatives, a tract of land not exceeding two leagues square, situated in the county of Madison, and State of Missouri, commonly known by the name of the Mine La Motte, according to a field plat and survey, made by Nathaniel Cook, deputy surveyor, of

St. Genevieve, made on the twenty-second day of February, one thousand eight hundred and six: *Provided*, Said location shall be made, as nearly as may be, conformable to the contiguous public surveys: *And provided further*, That this confirmation shall extend only to a relinquishment of title on the part of the United States, nor prejudice the rights of third persons, nor any title heretofore derived from the United States, either by purchase or donation.

Proviso.
Proviso.

SEC. 2. *And be it further enacted*, That the Secretary of the Treasury shall cause patents to issue to the before-named Francis Valle, Jean Baptiste Valle, Jean Baptiste Pratte, and St. James Beauvois, or to their heirs or legal representatives, upon the exhibition to him, in case of the decease of the aforesaid persons, that those who may claim patents under this act are the legal heirs or representatives of the person or persons deceased.

Patents to be issued.

No. 1009. AN ACT to authorize the President of the United States to cause the reserved salt springs, in the State of Missouri, to be exposed to public sale.

March 3, 1829.
Vol. 4, p. 364.

Be it enacted, &c., That the President be, and he hereby is, authorized, at any time that he shall think proper, to cause the reserved salt springs and contiguous lands, (a) in the State of Missouri, belonging to the United States, and unclaimed by individuals, to be exposed to sale, in the same manner that other public lands are authorized, by law, to be sold. (b)

President of United States authorized to sell salt springs.

(a) See Nos. 985, 995, 1018.

(b) See Nos. 729, 981, 983, 997, 1007, 1010, 1020, 1028, 1083, 1086, 1096, 1110, 1115, 1120, 1121, 1135.

No. 1010.—AN ACT to authorize the President of the United States to cause the reserved lead mines, in the State of Missouri, to be exposed to public sale, and for other purposes.

March 3, 1829.
Vol. 4, p. 364.

Be it enacted, &c., That the President be, and he hereby is, authorized, at any time that he shall think proper, to cause the reserved lead mines and contiguous lands, in the State of Missouri, belonging to the United States, and unclaimed by individuals, to be exposed to sale, in the same manner that other public lands are authorized, by law, to be sold, except as hereinafter provided. (a)

President of United States authorized to sell lead mines.

SEC. 2. *And be it further enacted*, That six months' notice, at least, of the times and places of the said sales, shall be given in such newspapers of general circulation in such of the States as the President may think expedient, with a brief description of the mineral region in Missouri, and of the lands to be offered for sale, showing the number and the localities of the different mines now known, the probability of discovering others, the quality of the ore, the facilities for working it, the further facilities, if any, for manufactories of shot, sheet lead, and paints, and the means and expense of transporting the whole to the principal markets in the United States. (b)

Six months' notice to be given, &c.

SEC. 3. *And be it further enacted*, That in all cases of confirmation or sales of lands in Missouri, reported to contain lead ore, the patent shall be issued to the person in whose favour the confirmation has been made, or to the purchaser from the United States, or their heirs or assignees, as in ordinary cases of confirmation or sales.

Confirmations or sales of lead mines to be the same as of other lands.

(a) See No. 701.

(b) See Nos. 729, 981, 983, 997, 1007, 1009, 1020, 1028, 1083, 1086, 1096, 1110, 1115, 1120, 1121, 1135.

No. 1011.—AN ACT to continue in force "An act authorizing certain soldiers in the late war to surrender the bounty lands drawn by them, and to locate others in lieu thereof," and for other purposes.

March 23, 1830.
Vol. 4, p. 383.

[Act of May 22, 1826, continued for five years, and its provisions extended to those having like claims in Missouri and Illinois. See ARKANSAS, No. 1177.]

No. 1012.—AN ACT for the relief of Arund Rutgers, of Missouri.

April 23, 1830.
Vol. 6, p. 414.

Be it enacted, &c., That Arund Rutgers be, and is hereby, authorized to locate five hundred arpents of land, upon any of the public lands in the State of Missouri, that are subject to private entry, upon relinquishing to John Welden, his heirs, or assigns, before the recorder of land titles at St. Louis, all his right and claim to the like quantity of land,

May locate a certain tract of land, upon relinquishing, &c.

confirmed to the said John Welden, within the boundaries of his original grant; and the Commissioner of the General Land Office, upon a duly certified copy of such relinquishment being presented to him, together with a plat and survey of said land, duly and regularly made, shall issue a patent therefor.

May 26, 1830.
Vol. 6, p. 426.

Claim to cer-
tain land confirm-
ed.

Proviso.

No. 1013.—AN ACT to confirm the claim of Isidore Moore, of Missouri.

Be it enacted, &c., That the claim of Isidore Moore, of Perry County, Missouri, to five hundred arpens of land, at the place where he now resides, as assignee of Thomas Fenwick, under a concession, granted by Zenon Trudeau, late lieutenant-governor of Upper Louisiana, dated the first day of June, one thousand seven hundred and ninety-seven, be, and the same is hereby, confirmed; and the proper surveyor of the United States shall survey the said claim, so as to include the improvements of the said Isidore Moore, as nearly in the centre of the tract as the situation of other private claims may admit; and, upon presentation of an authentic copy of such survey to the General Land Office, a patent shall be issued to the said Isidore Moore, for the land so surveyed: *Provided,* That this act shall not affect the rights of any other individual to the same grant hereby confirmed; and that, if any part of such survey should fall upon the sixteenth section, reserved for township schools, the county court of Perry may select any other section, or part of a section, in the same township, the sale of which is authorized by law, and enter the same with the register of the proper land office, to be reserved for the use of schools in said township, instead of such sixteenth section. (a)

(a) See Nos. 972, 988, 989, 993, 1016, 1093, 1114, 1142, 1145.

May 26, 1830.
Vol. 6, p. 427.

Authorized to
relinquish cer-
tain land, and to
enter another
tract.

No. 1014.—AN ACT for the relief of Nancy Moore.

Be it enacted, &c., That Nancy Moore, of the county of St. Charles, State of Missouri, is hereby authorized to relinquish to the United States, the northeast quarter of section number thirty-six, in township forty-eight, in range seven, west, entered by mistake and patented to said Nancy Moore, on the first day of October, in the year of our Lord one thousand eight hundred and nineteen; and the said Nancy shall be, and hereby is, authorized to select any other quarter-section of land containing one hundred and sixty acres, from any lands within the district of St. Louis aforesaid, which may be subject to entry at private sale; for which quarter-section, when entered, a patent shall issue as in other cases.

Jan. 19, 1831.
Vol. 4, p. 432.

States of Mis-
souri, Mississip-
pi and Alabama
exonerated from
obligation to ren-
der annual ac-
count of, &c.

No. 1015.—AN ACT to amend an act, entitled "An act to provide for paying to the States of Missouri, Mississippi, and Alabama, three per centum of the net proceeds arising from the sale of the public lands within the same."

Be it enacted, &c., That so much of an act, entitled "An act to provide for paying to the States of Missouri, Mississippi, and Alabama, three per centum of the net proceeds arising from the sale of the public lands within the same," approved the third of May, eighteen hundred and twenty-two, as requires an annual account of the application of the said three per centum, to be transmitted to the Secretary of the Treasury, be, and the same is hereby repealed. (a)

(a) See Nos. 989, 993, 1103.

Jan. 27, 1831.
Vol. 4, p. 435.

The United
States to relin-
quish certain
rights.

No. 1016.—AN ACT further supplemental to the act entitled "An act making further provisions for settling the claims to land, in the Territory of Missouri," passed the thirteenth day of June, one thousand eight hundred and twelve.

Be it enacted, &c., That the United States do hereby relinquish to the inhabitants of the several towns or villages of Portage des Sioux, Saint Charles, Saint Louis, Saint Ferdinand, Villa a Robert, Carondelet, Saint Genevieve, New Madrid, New Bourbon, and Little Prairie, in the State of Missouri, all the right, title, and interest of the United States in and to the town or village lots, out-lots, common-field lots, and commons

in, adjoining and belonging to, the said towns or villages, confirmed to them respectively, by the first section of the act of Congress, entitled "An act making further provision for settling the claims to land in the Territory of Missouri," passed the thirteenth day of June, one thousand eight hundred and twelve, to be held by the inhabitants of the said towns and villages, in full property, according to their several rights therein, to be regulated or disposed of for the use of the inhabitants, according to the laws of the State of Missouri. (a)

SEC. 2. *And be it further enacted*, That the United States do hereby relinquish all their right, title, and interest, in and to the town and village lots, out-lots, and common-field lots, in the State of Missouri, reserved for the support of schools, in the respective towns and villages aforesaid, by the second section of the above-recited act of Congress; and that the same shall be sold or disposed of, or regulated for the said purposes, in such manner, as may be directed by the legislature of said State. (b)

(a) See Nos. 972, 999, 1119, 1143.

(b) See Nos. 972, 988, 989, 995, 1013, 1093, 1114, 1142, 1145.

No. 1017.—AN ACT for the relief of certain holders of certificates issued in lieu of lands injured by earthquakes in Missouri.

March 2, 1831.
Vol. 4, p. 482.

Be it enacted, &c., That the legal owners of any certificates of new location issued under the act of seventeenth February, one thousand eight hundred and fifteen, for the relief of persons whose lands were injured by earthquakes in Missouri, which may have been located upon lands, any part of which has been adjudged to any person or persons as a right of pre-emption, shall be authorized to locate such warrants, upon such lands as are liable to entry at private sale, *Provided*, That previous to making such new location, the legal owners aforesaid shall relinquish to the United States all claim to the previous location, *And provided further*, That such locations shall be made and patents issued therefor, under the same regulations and restrictions, as if the locations had been made under the provisions of the second section of the act of the twenty-sixth April, one thousand eight hundred and twenty-two entitled "An act to perfect certain locations and sales of the public lands in Missouri."

Owners of certificates authorized to locate same on lands subject to private entry.

Proviso.

Proviso.

SEC. 2. *And be it further enacted*, That this act shall remain in force for the term of eighteen months from the passage thereof. (a)

(a) See Nos. 977, 985, 992, 1004, 1117.

No. 1018.—AN ACT to create the office of surveyor of the public lands for the State of Louisiana.

March 3, 1831.
Vol. 4, p. 492.

SEC. 8. *And be it further enacted*, That the legislature of the State of Missouri be, and is hereby authorized to sell and convey in fee-simple all or any part of the lands heretofore reserved and appropriated by Congress for the use of a seminary of learning in said State, and to invest the money arising from the sale thereof in some productive fund, the proceeds of which shall be for ever applied by the legislature of said State, solely to the use of such seminary, and for no other use or purpose whatsoever. (a) *And that the legislature of said State of Missouri shall be, and is hereby authorized to sell and convey in fee-simple all or any part of the salt springs not exceeding twelve in number, and six sections of land adjoining to each, granted to said State by the United States for the use thereof, and selected by the legislature of said State, on or before the first day of January, one thousand eight hundred and twenty-five, and to invest the money arising from the sale thereof in some productive fund, the proceeds of which shall be for ever applied under the direction of said legislature, for the purpose of education in said State, and for no other use or purpose whatsoever.* (b)

Legislature authorized to sell and convey lands reserved for seminary.

Legislature authorized to sell and convey salt springs and adjacent lands heretofore reserved.

(a) See Nos. 983, 989, 1003.

(b) See Nos. 989, 995, 1009.

May 22, 1832.
Vol. 4, p. 517.

No. 1019.—AN ACT * * * to remove the land office from Franklin to Fayette, in the State of Missouri.

[See MISSISSIPPI, No. 1349.]

July 9, 1832.
Vol. 4, p. 565.

No. 1020.—AN ACT for the final adjustment of private land claims in Missouri.

All unconfirmed land claims to be examined.

Claims to be classed, &c.

Time for taking testimony.

Office of recorder to remain open for two years.

Recorder, &c., to proceed &c.

A report of claims to be laid before commissioner, and presented to Congress.

Provisions relating to sale of certain lands.

Proviso.

Pay of recorder and commissioners.

Interpreter may be employed.

Be it enacted, &c., That it shall be the duty of the recorder of land titles in the State of Missouri and two commissioners to be appointed by the President of the United States, by and with the advice and consent of the Senate, to examine all the unconfirmed claims to land in that State, heretofore filed in the office of the said recorder, according to law, founded upon any incomplete grant, concession, warrant, or order of survey, issued by the authority of France or Spain, prior to the tenth day of March, one thousand eight hundred and four; and to class the same so as to show, first, what claims, in their opinion, would in fact have been confirmed, according to the laws, usages, and customs of the Spanish Government, and the practice of the Spanish authorities under them, at New Orleans, if the government under which said claims originated had continued in Missouri; and secondly what claims, in their opinion, are destitute of merit, in law or equity, under such laws, usages, customs, and practice of the Spanish authorities aforesaid; and shall also assign their reasons for the opinions so to be given. And in examining and classing such claims, the recorder and commissioners shall take into consideration, as well the testimony heretofore taken by the boards of commissioners and recorder of land titles upon those claims, as such other testimony as may be admissible under the rules heretofore existing for taking such testimony before said boards and recorder: and all such testimony shall be taken within twelve months after the passage of this act. (a)

SEC. 2. *And be it further enacted,* That the office of the recorder shall be open for the purposes of such examination for the term of two years from the date of the organization of the board of commissioners and no longer; and the recorder and commissioners shall proceed in the examination in a summary manner, with or without any new application of the claimants; and shall, at the commencement of each session of Congress during said term of examination, lay before the Commissioner of the General Land Office a report of the claims so classed, stating therein the date and quantity of each, whether there be any, and what, conflicting claims, and the evidence upon which each claim depends, and the authority and power under which the said claim was granted by the Spanish or French governor, commandant or sub-delegate, to be laid before Congress for their final decision upon the claims contained in such first class. (b)

SEC. 3. *And be it further enacted,* That from and after the final report of the recorder and commissioners, the lands contained in the second class shall be subject to sale as other public lands; and the lands contained in the first class shall continue to be reserved from sale as heretofore, until the decision of Congress shall be made thereon; and if the decision of Congress shall be against the claims, or any of them, the lands so decided against shall be, in like manner, subject to sale as other public lands: *Provided,* That actual settlers being housekeepers upon such lands as are rejected, claiming to hold, under such rejected claim, or such as may waive their grant, shall have the right of pre-emption to enter within the time of the existence of this act not exceeding the quantity of their claim, which in no case shall exceed six hundred and forty acres, to include their improvements, who shall give notice and prove their right of pre-emption, and in all things conform to the regulations as have been or may be prescribed by the Secretary of the Treasury under the existing laws relative to pre-emption; and it shall be the duty of the Secretary of the Treasury immediately to forward to the several land offices in said State, the manner in which all those who may wish to waive their several grants or claims, and avail themselves of the right of pre-emption, shall renounce or release their said grants. (c)

SEC. 4. *And be it further enacted,* That the recorder and commissioners shall each receive the sum of fifteen hundred dollars per annum, to be paid quarter-yearly by the United States, in full compensation for their services under this act; and may, when necessary, employ an interpreter

of the French or Spanish language, for a reasonable compensation, to be allowed by the Secretary of the Treasury, and paid by the United States.

- (a) See Nos. 722, 728, 957, 967, 972, 973, 974, 976, 980, 988, 998, 1002, 1007, 1024, 1041, 1063, 1067, 1102, 1104, 1106, 1107, 1124, 1139, 1143.
 (b) See Nos. 189, 701, 972, 973, 974, 977, 1024, 1143, 1149.
 (c) See Nos. 729, 981, 983, 997, 1007, 1009, 1010, 1028, 1083, 1086, 1096, 1110, 1115, 1120, 1121, 1135.

No. 1021.—AN ACT to provide for the extinguishment of the Indian title to lands lying in the States of Missouri and Illinois, and for other purposes.

July 14, 1832.
Vol. 4, p. 594.

Be it enacted, &c., That the sum of forty-six thousand dollars be, and the same is hereby appropriated, to be applied, under the direction of the President, to the extinguishment of the title of the Kickapoos, Shawaneps, and Delawares, of Cape Girardeau, to lands lying in the State of Missouri; and of the Pianka-haws, Weas, Peorias, and Kaskaskias, to lands lying in the State of Illinois; and, for the purpose of defraying all the expenses of treating with, removing, and subsisting, said Indians for one year; for an additional compensation to the Shawnee Indians for their reservation at Wapaughkonitta, in Ohio, an annuity of two thousand dollars per annum, for fifteen years; and, also, the sum of three thousand dollars to defray the expenses of procuring the assent of the Menominee Indians, to the treaty between them and the United States, which was provisionally ratified during the present session of Congress.

Appropriation for extinguishment of Indian title to lands in Missouri and Illinois.

Annuity to the Shawnees, &c.

No. 1022.—AN ACT for the relief of Archibald Gamble.

Jan. 28, 1833.
Vol. 6, p. 529.

Be it enacted, &c., That the heirs or assigns of John B. Thibault, who are entitled to a New Madrid certificate, numbered three hundred and thirty-three, for four hundred and eighty acres, heretofore entered in township number forty-six, range six, east of the fifth principal meridian, be, and are hereby, authorized to enter four hundred and eighty acres of land on any of the public lands in the State of Missouri, the sale of which is authorized by law: *Provided,* That the said heirs or representatives of said John B. Thibault, so entitled as aforesaid, before making said location or entry, shall execute a release to the United States for all claim and right to the land upon which said certificate has been heretofore entered.

May change the location of a New Madrid certificate of land.

Proviso.

No. 1023.—AN ACT for the relief of Peter McCormick.

Jan. 28, 1833.
Vol. 6, p. 530.

Be it enacted, &c., That Peter McCormick be confirmed in and to a tract of land containing six hundred and forty acres, lying in the district of St. Genevieve, on the river Platin, to be surveyed so as to include the land within the limits of the original survey made for him by Thomas Maddin, on the eighth of February, one thousand eight hundred and six, and which was filed before the board of commissioners for said district, in one thousand eight hundred and six; and upon which said board of commissioners, on the thirtieth of September, one thousand eight hundred and eleven, confirmed said claim for four hundred and fifty arpens of land, in the same manner, and upon the same terms, as if his claim thereto had been confirmed by the board of commissioners, for six hundred and twenty-four arpens: *Provided,* That this act shall only operate as a relinquishment on the part of the United States, to any claim they may have to the same; and that the same shall not interfere to or with the rights of other persons claiming title thereto.

Land claim confirmed.

Proviso.

No. 1024.—AN ACT supplemental to the act entitled "An act for the final adjustment of land claims in Missouri."

March 2, 1833.
Vol. 4, p. 661.

Be it enacted, &c., That the provisions of the act to which this is a supplement, shall be extended to and embraced in its operations, every claim to a donation of land in the State of Missouri, held in virtue of settlement and cultivation; and the commissioners appointed under the above-recited act, shall proceed to consider, decide, and report upon the aforesaid claims, under the provisions of the several acts of Congress heretofore passed in relation to said claims, and under such pro-

Provisions of act extended.

visions and restrictions of the act to which this is a supplement, as may be applicable thereto. (a)

Testimony to be taken. SEC. 2. *And be it further enacted*, That it shall and may be lawful for the recorder and commissioners aforesaid, to continue to take the testimony of all such claims as heretofore described, for and during the term of two years, from the date of the act to which this is a supplement, any law to the contrary notwithstanding. (b)

(a) See Nos. 722, 728, 957, 967, 972, 973, 974, 976, 980, 988, 998, 1002, 1007, 1020, 1041, 1063, 1067, 1102, 1104, 1106, 1107, 1124, 1139, 1143.

(b) See Nos. 189, 701, 972, 973, 974, 977, 1020, 1143, 1149.

March 24, 1834. Vol. 6, p. 556. **No. 1025.**—AN ACT for the relief of the widow and heirs of Felix St. Vrain.

Be it enacted, &c., That there be, and is hereby, granted to the widow and heirs of the late Felix St. Vrain, of Missouri, six hundred and forty acres of land, to be selected by them within the State of Missouri, either in an entire section, or in tracts not less than one quarter-section, and entered in the proper land office in said State: *Provided*, Said land be subject to entry at private sale, and not settled upon or occupied by any other person.

A section of land granted. Proviso.

Certificate and patent to issue. SEC. 2. *And be it further enacted*, That on the application of the said widow and heirs or their duly authorized agent, to the register and receiver of the proper land office, and on payment of one dollar for each tract so entered, a final certificate shall be given for the same, upon which, a patent from the United States to the said widow and heirs of Felix St. Vrain shall be issued.

May 14, 1834. Vol. 6, p. 561. **No. 1026.**—AN ACT for the relief of Coleman Fisher.

Be it enacted, &c., That Coleman Fisher, of the city of Philadelphia, or his agent duly authorized, shall be, and he hereby is, permitted and allowed to withdraw a New Madrid certificate, numbered three hundred and thirty-eight, issued by Frederick Bates, recorder of land titles for the Missouri Territory, dated sixteenth October, one thousand eight hundred and seventeen, and now on file in the office of the surveyor of public lands in Illinois, Missouri, and Arkansas, for six hundred and forty acres; which said certificate had been located on six hundred and forty acres of land near the village of Carondelet, and the location made by Ashley and Brown, as the legal representatives of Benjamin Patterson, senior; and to locate, by virtue of the same, six hundred and forty acres of land on any other public lands of the United States, subject to entry; and, on presentation of a certificate therefor, from the register of the proper land office to the Commissioner of the General Land Office, a patent shall issue for the same, in due form, *Provided however*, That, previous to withdrawing said certificate, the said Coleman Fisher, by himself, or his agent duly authorized, shall release to the United States all claim or right to the lands heretofore located by virtue of said certificate, and which release shall be returned, with the certificate aforesaid, to the General Land Office, before a patent shall issue for the land lastly so located.

May withdraw a land certificate and locate other land. Proviso.

June 18, 1834. Vol. 6, p. 563. **No. 1027.**—AN ACT granting the right of pre-emption to John Yantis.

Be it enacted, &c., That John Yantis be, and he is hereby, entitled to a preference in becoming the purchaser, at private sale, of fractional section number thirty, in township number fifty-one, north of the base line of range number twenty-five, west of the fifth principal meridian, containing twenty acres and fifty-one hundredths, at the minimum price of the public lands: *Provided*, Said land shall not have been previously sold by the United States.

Pre-emption right granted to him. Proviso.

June 26, 1834. Vol. 4, p. 696. **No. 1028.**—AN ACT to create additional land districts in the States of Illinois and Missouri, and in the Territory north of the State of Illinois.

Land office. SEC. 5. *And be it further enacted*, That so much of the public lands of the United States, in the State of Missouri, as lies west of the range line between ranges ten and eleven west of the fifth principal meridian, and south of the line dividing townships, numbers forty and forty-one north of the base line, shall form a new land district, to be called the south-

western land district; and for the sale of the public lands within the district aforesaid, there shall be a land office established at such place within said district as the President of the United States may designate.

SEC. 6. *And be it further enacted*, That there shall be a register and receiver appointed to said office, to superintend the sale of public land in said district, who shall reside at the place where said office is established, give security in the same manner and sums, and whose compensation, emoluments, duties, and authorities, shall in every respect be the same in relation to lands to be disposed of at said office, as are, or may be, by law provided, in relation to the registers and receivers of public money in the several offices established for the sale of the public lands. (a) Register and receiver.

SEC. 7. *And be it further enacted*, That all such public lands embraced within the district created by this act, which shall have been offered for sale to the highest bidder at the several land offices, at Jackson, Franklin, Fayette, and Lexington, pursuant to any proclamation of the President of the United States, and which lands remain unsold at the taking effect of this act, shall be subject to be entered and sold at private sale, by the proper officers of the office hereby created, in the same manner and subject to the same terms, and upon like conditions, as the sale of said land would have been subject to, in the said several land offices hereinbefore mentioned, had they remained attached to the same: *Provided*, That nothing in this act shall be so construed as to permit the officers appointed in either of the foregoing land districts to receive compensation out of the Treasury of the United States. (b) Lands not disposed of at public sale may be entered and sold at private sale.
Proviso.

(a) See Nos. 983, 994, 997, 1001, 1019, 1064, 1076, 1079, 1095.

(b) See Nos. 729, 981, 983, 997, 1007, 1009, 1010, 1020, 1083, 1086, 1096, 1110, 1115, 1120, 1121, 1135.

No. 1029.—AN ACT confirming to Gilbert Hodges, his heirs or legal representatives, and to Henry Masters, his heirs or legal representatives, certain lands in the State of Missouri.

June 30, 1834.
Vol. 6, p. 590.

Be it enacted, &c., That Gilbert Hodges, his heirs or assigns be, and are hereby authorized to enter six hundred and forty acres of land without payment on any lands of the United States according to sectional lines, in the State of Missouri, subject to sale by private entry in lieu of the like quantity of land confirmed to said Hodges by act of Congress of twenty-ninth April one thousand eight hundred and sixteen, entitled "An act for the confirmation of certain claims to lands in the western district of the State of Louisiana, and in the Territory of Missouri," but which has been lost by the interference of prior claims.

G. Hodges authorized to enter a tract of land.
Act of April 29, 1816.

SEC. 2. *And be it further enacted*, That Henry Masters, his heirs and legal representatives be, and are hereby authorized to enter six hundred and forty acres of land without payment on any lands of the United States in the State of Missouri, subject to sale by private entry, in lieu of the like quantity confirmed to said Masters, by the act aforesaid, but which has been lost by the interference of a donation.

H. Masters authorized to enter a tract of land.

No. 1030.—AN ACT for the relief of George Gordon, assignee and representative of the heirs of Matthew Ramey, deceased.

June 30, 1834.
Vol. 6, p. 598.

Be it enacted, &c., That George Gordon, as assignee and representative of the heirs of Matthew Ramey deceased, be, and he is hereby, confirmed in his claim to a settlement right to a tract of six hundred and forty acres of land, situated on a branch of the river Despres, ten or twelve miles west of St. Louis, and embraced in a tract of land which was surveyed for Matthew Ramey and to be located in such manner as to embrace the improvements made by the said George Gordon: *Provided*, That this act shall be considered only as a relinquishment of the title on the part of the United States, and not prejudicial to the rights of third persons.

Land claim confirmed

Proviso.

No. 1031.—AN ACT for the relief of John Wilson.

June 30, 1834.
Vol. 6, p. 603.

Be it enacted, &c., That to correct an error in the proceedings of the late board of commissioners appointed to examine and adjust private land claims in Missouri, John Wilson be, and he is hereby, confirmed in his title to six hundred and twenty-two acres of land, situate in town-

Land title confirmed.

ship number forty-two north, of range five east, of the fifth principal meridian, instead of six hundred and twenty-two arpens, adjudged to him by the board of commissioners aforesaid.

Feb. 6, 1835.
Vol. 6, p. 606.

No. 1032.—AN ACT for the relief of Colonel John Eugene Leitensdorfer.

Land warrant
to issue to him.

Be it enacted, &c., That the Secretary of War be, and he is hereby, directed to issue a land warrant to Colonel John Eugene Leitensdorfer, for three hundred and twenty acres; which warrant may be located with any register of the land offices in the State of Missouri, on any public land subject to entry at private sale, and the said location may be made in parcels, conformable to sectional subdivisions. (a)

(a) See No. 970.

March 3, 1835.
Vol. 6, p. 618.

No. 1033.—AN ACT for the relief of David Kincaid.

Land title con-
firmed.

Proviso.

Be it enacted, &c., That David Kincaid be confirmed in his title to five hundred arpens of land, situate in the forks of the river Chorette, district of St. Charles, being that lot of land claimed by the said David Kincaid, under a special permission to settle a concession from Charles Dehault Delassus, lieutenant governor, &c., dated fourteenth January, eighteen hundred and three; and that a patent issue in the usual form for the same: *Provided,* That this act shall only operate as a relinquishment, on the part of the United States, of all their right and claim to the above-described lot of land, and shall not be considered as interfering with the rights of third persons.

June 7, 1836.
Vol. 5, p. 34.

No. 1034.—AN ACT to extend the western boundary of the State of Missouri to the Missouri River.

The western
boundary of the
State extended.

Proviso.

Be it enacted, &c., That when the Indian title to all the lands lying between the State of Missouri and the Missouri River shall be extinguished, the jurisdiction over said lands shall be hereby ceded to the State of Missouri, and the western boundary of said State shall be then extended to the Missouri River, reserving to the United States the original right of soil in said lands, and of disposing of the same: *Provided,* That this act shall not take effect until the President shall by proclamation, declare that the Indian title to said lands has been extinguished; nor shall it take effect until the State of Missouri shall have assented to the provisions of this act. (a)

(a) See Nos. 971, 989, 990, 991, 1043, 1045, 1068, 1071, 1076.

June 23, 1836.
Vol. 6, p. 643.

No. 1035.—AN ACT for the relief of David Browning.

May relinquish
a tract of land,
and enter another
in lieu thereof.

Be it enacted &c., That David Browning be, and he is hereby, authorized to relinquish to the United States, in such form as the Commissioner of the General Land Office shall prescribe, the southeast quarter of the northeast quarter of section number twenty, and township number forty-nine, north of the base line, range number two, east of the fifth principal meridian, in the district of lands now offered for sale at Palmyra, in the State of Missouri; and upon such relinquishment being made as aforesaid, the said Browning shall be, and he is hereby, authorized to enter any other quarter quarter-section of land in the said district, which shall be liable to entry at private sale.

July 1, 1836.
Vol. 6, p. 660.

No. 1036.—AN ACT authorizing the Commissioner of the General Land Office, to issue to David J. Talbot, a patent for a quarter-section of land in Missouri.

Land patent to
issue to him.

Be it enacted, &c., That the Commissioner of the General Land Office be, and he hereby is, authorized and directed to issue to David J. Talbot, of Missouri, a patent for the northwest quarter-section of section twenty-five, township forty-six, north of the base line, and range five, west of the fifth principal meridian, in Missouri, in conformity with the entry heretofore made by the said David J. Talbot, as assignee of Haile

Talbot, in the land office of St. Louis, Missouri: *Provided, however,* That the said David J. Talbot, before the issuing of said patent, procure to be surrendered to the United States, at the General Land Office, to be cancelled, the patent for the same quarter-section which, erroneously and by mistake, was issued to one Robert Wash, upon the New Madrid claim of one Peter Perron, and which the said Robert Wash is hereby authorized to surrender accordingly.

Proviso.

No. 1037.—AN ACT for the relief of John Howell.

July 2, 1836.
Vol. 6, p. 662

Be it enacted, &c., That John Howell be, and he is hereby, confirmed in his title to a tract of land, containing six hundred and forty acres, claimed by virtue of a settlement made thereon in the year one thousand eight hundred and two, situated on the river Dardenne, in the county of Saint Charles, State of Missouri, to be surveyed in a square, or as near as may be, so as to include his improvement; and in the event of there not being unappropriated public land adjoining his said settlement sufficient for the purpose, then the deficiency may be located upon any unappropriated land of the United States within the land district embracing said tract, subject to entry at private sale.

Land claim confirmed.

No. 1038.—AN ACT for the relief of the legal representatives of Nathaniel Shaver, deceased.

July 2, 1836.
Vol. 6, p. 675.

Be it enacted, &c., That the legal representatives of Nathaniel Shaver, deceased, to whom a certificate was issued by the recorder of land titles at St. Louis, Missouri, pursuant to the act entitled "An act for the relief of the inhabitants of the late county of New Madrid, in the Missouri Territory, who suffered by earthquakes," approved the seventeenth of February, eighteen hundred and fifteen, for four hundred arpens, or three hundred and forty acres and twenty-eight one-hundredths of an acre of land, and whose location of said tract has been found deficient by the quantity of one hundred and fifty acres and forty-three one-hundredths of an acre, be, and they hereby are, authorized to locate one quarter-section on any of the public lands of the United States within the State of Missouri unappropriated and subject to entry at private sale.

Authorized to locate a tract of land.

No. 1039.—AN ACT confirming the title of Joseph Sorin, alias Larochele, and those claiming under him, to a tract of land in Missouri.

July 2, 1836.
Vol. 6, p. 679.

Be it enacted, &c., That the title of Joseph Sorin, alias Larochele, and those claiming under him, be, and the same is hereby, confirmed to a tract of land, two arpents in front by forty arpents in depth, situated in the second line of concessions or grants adjacent to the city of St. Louis, at a place called the "Cul de Sac," bounded on the front by the west line of the forty arpents lots, and adjoining at its western boundary and depth to the "Royal Domain;" on the north adjoining to the land of Madame Camp; and on the south to that of M. Yosti: *Provided,* That this confirmation shall only operate as a relinquishment on the part of the United States to all claim in and to the said land; but shall not affect the right of any other person or persons, if such there be, having a just claim to the said land.

Land title confirmed.

Proviso.

No. 1040.—AN ACT for the relief of James Baldrige.

July 2, 1836.
Vol. 6, p. 682.

Be it enacted, &c., That James Baldrige be, and he is hereby, confirmed in his title to a tract of land containing six hundred and forty acres, situated on the river Dardenne, in the county of Saint Charles, State of Missouri, claimed by virtue of a settlement made thereon in the year eighteen hundred and two, to be surveyed in a square, or, as near as may be, so as to include his improvement; and in the event of there not being sufficient public land adjoining said improvement upon which to make such survey, then, and in that case, the deficiency may be located upon any unappropriated public land in the district embracing said settlement, in legal subdivisions, subject to entry at private sale.

Land title confirmed.

July 4, 1836
Vol 5, p. 126.

No. 1041.—AN ACT confirming claims to land in the State of Missouri, and for other purposes.

Decisions of
the recorder con-
firmed.

Proviso.

Proviso.

Other land may
be located, should
any of that be oc-
cupied the title
to which is con-
firmed.

Proviso.

Locations to be
entered with the
register, &c.

Be it enacted, &c., That the decisions in favor of land claimants, made by the recorder of land titles in the State of Missouri, and the two commissioners associated with him by virtue of an act entitled "An act for the final adjustment of private land claims in Missouri," approved July ninth, eighteen hundred and thirty-two, and an act supplemental thereto, approved March second, eighteen hundred and thirty-three, as entered in the transcript of decisions transmitted by the said recorder and commissioners to the Commissioner of the General Land Office, and by him laid before Congress at the two last and present sessions, be, and the same are hereby, confirmed, saving and reserving, however, to all adverse claimants, the right to assert the validity of their claims in a court or courts of justice: *Provided*, That nothing in this act contained shall apply to, or be in confirmation of the claim of Don Carlos D. Vilemont, for a tract of land at Point Chicot: *And provided, also*, That nothing in this act contained shall apply to, or be in confirmation of the following claims, to wit: Manuel Liza, six thousand arpens; J. Coontz, and Hempstead, four hundred and fifty arpens; Matthew Saucier, one thousand two hundred arpens; Charles Tayon, one thousand six hundred arpens; sons of Joseph M. Pepin, five thousand six hundred arpens; Louis Lorimiere, thirty thousand arpens; Bartholomew Cousin, ten thousand arpens; Manuel Gonzales Moro, eight hundred arpens; Seneca Rollins, four hundred arpens; William Long, four hundred arpens; James Journey, four hundred arpens; Joachim Lisa, six thousand arpens; Francois Lacombe, four hundred arpens; Israel Dodge, seven thousand [and] fifty-six arpens; Andrew Chevalier, four hundred arpens; Joseph Silvain, two hundred and fifty arpens; John P. Cabanis, two thousand arpens; William Hartly, six hundred and fifty arpens; William Morrison, seven hundred and fifty arpens; Solomon Bellew, three hundred and fifty arpens; Paschal Detchemendex, seven thousand [and] fifty-six arpens; Baptiste Annure, two hundred and forty arpens; Alexander Maurice, four hundred arpens; Jean Baptiste Valle, twenty thousand arpens; Israel Dodge, one thousand arpens; Walter Fenwick, ten thousand arpens; John Smith T., ten thousand arpens; and Mackey Wherry, sixteen hundred arpens. (a)

SEC. 2. *And be it further enacted*, That if it shall be found that any tract or tracts confirmed as aforesaid, or any part thereof, had been previously located by any other person or persons under any law of the United States, or had been surveyed and sold by the United States, this act shall confer no title to such lands in opposition to the rights acquired by such location or purchase; but the individual, or individuals, whose claims are hereby confirmed, shall be permitted to locate so much thereof as interferes with such location or purchase, on any unappropriated land of the United States within the State of Missouri, or Territory of Arkansas, in whichever the original claim may be, that may be subject to entry at private sale: *Provided*, That such location shall conform to legal divisions and subdivisions, and shall not interfere with the rights of other persons. (b)

SEC. 3. *And be it further enacted*, That the locations authorized by this act, shall be entered with the register of the proper land office, who shall, on application for that purpose, make out for such claimant a certificate of location, which, with the certificate of confirmation, shall be transmitted to the Commissioner of the General Land Office; and if it shall appear to the satisfaction of the said Commissioner that such certificate shall have been fairly obtained, according to the true intent and meaning of this act and the laws of the United States, then, and in that case, patents shall be granted in like manner as is provided by law for the other lands of the United States. And for each certificate of location to be issued as aforesaid, the register shall be entitled to receive from the person applying therefor, the sum of one dollar.

(a) See Nos. 722, 728, 957, 967, 972, 973, 974, 976, 980, 988, 998, 1002, 1007, 1020, 1024, 1063, 1067, 1102, 1104, 1106, 1107, 1124, 1139, 1143.

(b) See Nos. 957, 998, 1102, 1106, 1107.

No. 1042.—AN ACT for the relief of James Keytes.March 3, 1837.
Vol. 6, p. 694.

Be it enacted, &c., That the Secretary of the Treasury cause to be issued to James Keytes, assignee of William Ashly, who is assignee of Grant Weed, a patent for a quarter-section of land, to be located on any of the public lands in the State of Missouri, subject to private entry; which is in lieu of a quarter-section which was patented to said Grant Weed, by the United States, on the eleventh day of May, eighteen hundred and nineteen, described as being the northeast-quarter of section eleven, in township number fifty-four north, of range twenty south, and which patent appears to have been altered by the Commissioner of the General Land Office on the third day of January, eighteen hundred and thirty-four, by inserting range twenty-one instead of range twenty, so as to make the patent correspond with the record in said office: *Provided, nevertheless,* That no such location shall be made, or patent issue, until the said Keytes shall file a relinquishment with the register of the land office at Franklin, in the State of Missouri, for the above-named quarter-section, in range twenty-one aforesaid.

Land patent to be issued in lieu of a certain other patent.

Proviso.

No. 1043.—A PROCLAMATION issued by the President of the United States, under the act of June 7, 1836, chap. 86.March 28, 1837.
Vol. 5, p. 802.

Whereas, by an act of Congress of the 7th of June, 1836, it was enacted that when the Indian title to all the lands lying between the State of Missouri and the Missouri River should be extinguished, the jurisdiction over said land should be ceded by the said act to the State of Missouri, and the western boundary of said State should be then extended to the Missouri River, reserving to the United States the original right of soil in said lands, and of disposing of the same; and whereas, it was in and by the said act provided that the same should not take effect until the President should, by proclamation, declare that the Indian title to said lands had been extinguished, nor until the State of Missouri should have assented to the provisions of the said act:

Preamble.

And whereas, an act was passed by the general assembly of the State of Missouri, on the 16th of December, 1836, expressing the assent of the said State to the provisions of the said act of Congress, a copy of which act of the general assembly, duly authenticated, has been officially communicated to this Government, and is now on file in the Department of State:

Now, therefore, I, Martin Van Buren, President of the United States of America, do, by this my proclamation, declare and make known, that the Indian title to all the said lands lying between the State of Missouri and the Missouri River, has been extinguished, and that the said act of Congress of the 7th of June, 1836, takes effect from the date hereof. (a)

The President declares that the Indian title has been extinguished.

Given under my hand at the city of Washington, this 28th day of March, A. D. 1837, and of the Independence of the United States of America the sixty-first.

MARTIN VAN BUREN.

By the President:

JOHN FORSYTH,
Secretary of State.

(a) See Nos. 971, 989, 990, 991, 1034, 1045, 1068, 1071, 1076.

No. 1044.—AN ACT for the relief of Philip Riviere and his legal representatives.March 28, 1838.
Vol. 6, p. 708.

Be it enacted &c., That the claim and title of Philip Riviere and his legal representatives to a tract of land containing about four hundred and fifty arpens, French measure, situated in the county of St. Louis, State of Missouri, formerly granted to said Philip Riviere and his heirs, by the Spanish Government, by concession, bearing date the fourteenth of October, eighteen hundred, and located and surveyed by virtue of and under said concession, on the thirtieth of November, eighteen hundred, as appears by said survey, duly recorded in the office of the surveyor-general at St. Louis, in the "Register d'Arpentage A," page thirty-nine, be, and are hereby, confirmed to said Philip Riviere and his legal representatives: *Provided,* That this confirmation does not interfere with any right or title arising under any grant, concession, or sur-

Land claim confirmed.

Proviso.

vey, made by the authority of the former Spanish or French Governments in Upper Louisiana, and heretofore confirmed by Congress, or with any right or title to said land, or any part thereof, acquired by any individual or individuals by entry and purchase, in the land office of the United States, or which the United States may have acquired by purchase under any sale held in pursuance of any order of court, or decree in chancery; and that a resurvey be made of the land hereby confirmed, subject to the above proviso, under the order and direction of the surveyor-general of the United States, at St. Louis, and at the expense of the said Philip Riviere, or his legal representatives.

June 18, 1838.
Vol. 5, p. 248.

No. 1045.—AN ACT to authorize the President of the United States to cause the southern boundary line of the Territory of Iowa to be ascertained and marked.

[See IOWA, No. 1761.]

Feb. 6, 1839.
Vol. 6, p. 747.

No. 1046.—AN ACT for the relief of Jean B. Vallé.

Authorized to
locate a tract of
land.

Be it enacted, &c., That Jean B. Vallé, assignee of Elizabeth Petchaka, be, and he hereby is, authorized to locate one half-section of land, in legal subdivisions, upon any of the public lands subject to private entry within the State of Missouri, in lieu of the like quantity of land granted to the said Elizabeth Petchaka, by the seventh article of the treaty between the United States and the Delaware nation of Indians, made and concluded on the third day of October, in the year eighteen hundred and eighteen.

March 2, 1839.
Vol. 6, p. 752.

No. 1047.—AN ACT for the relief of Robert Murray.

May relinquish
certain land, and
enter another
tract.

Be it enacted, &c., That Robert Murray be, and he is hereby, authorized to relinquish to the United States, in such form as the Commissioner of the General Land Office shall prescribe, the northwest quarter of the northwest quarter of section thirty-two, township fifty-five north, range twenty-nine west, of the fifth principal meridian, in the district of lands now offered for sale at Lexington, in the State of Missouri; and, upon such relinquishment being made as aforesaid, the said Murray shall be, and he is hereby, authorized to enter any other quarter quarter-section of unappropriated land in said district which shall be liable to entry at private sale.

March 2, 1839.
Vol. 6, p. 752.

No. 1048.—AN ACT for the relief of John Wiley and Jefferson Greer.

Preamble.

Whereas it appears that John Wiley and Jefferson Greer, of the county of Calloway and State of Missouri, purchased, each of them, from the Government of the United States, at the land office at St. Louis, in the State of Missouri, a half quarter-section of land, for which each got a certificate from the receiver of public lands at said office; the said Wiley purchasing his in April, eighteen hundred and thirty-two, and the said Greer purchasing his in August, eighteen hundred and thirty-one; and whereas it further appears that the said Wiley and Greer, after having improved and cultivated the said lands purchased as aforesaid for three and four years, purchased of the Government lands which the Government had previously sold to others; therefore, for the relief of said Wiley and Greer,

Authorized to
enter land, with-
out payment.

Be it enacted, &c., That John Wiley and Jefferson Greer, of the county of Calloway and State of Missouri, or the legal representatives of each, be allowed to enter, without further payment, the quantity of three hundred and twenty acres each, of any of the unappropriated public lands of the United States that have been offered for sale, as a full compensation for the loss of the improvements which each had made upon lands which each had purchased of the Government, but which said lands so purchased by them had been previously disposed of by the Government to other individuals.

March 2, 1839.
Vol. 6, p. 753.

No. 1049.—AN ACT for the relief of John Whitsitt.

Authorized to
enter land at pri-
vate sale.

Be it enacted, &c., That John Whitsitt be, and he is hereby, authorized to enter at private sale, at the minimum price of the public lands, the northeast quarter of section four, in townshin fifty north of the base

line, of range twenty-five west of the fifth principal meridian; and that such sum as has heretofore been paid on said quarter-section, and forfeited, be deducted from the amount of purchase money.

No. 1050.—AN ACT for the relief of Tilford Taylor.

March 2, 1839.
Vol. 6, p. 754.

Be it enacted, &c., That Tilford Taylor be, and he is hereby, authorized to relinquish to the United States the east half of the southwest quarter of section two, in township forty-seven, and range five west, in the district of lands now offered for sale at Saint Louis, in the State of Missouri; and, upon such relinquishment being made, the said Taylor shall be, and he is hereby, authorized to enter any other half quarter-section of unappropriated land in said district, which shall be liable to entry at private sale.

Upon relinquishing a certain tract of land, authorized to enter another tract.

No. 1051.—AN ACT for the relief of Hiner Stigermire.

March 2, 1839.
Vol. 6, p. 757.

Be it enacted, &c., That Hiner Stigermire be, and he is hereby, authorized to relinquish to the United States, in such form as the Commissioner of the General Land Office shall prescribe, the southeast quarter of the southwest quarter of section thirty-one, township forty-five north, in range one east of the fifth principal meridian, in the district of lands now offered for sale at Saint Louis, in the State of Missouri; and upon such relinquishment being made as aforesaid, the said Stigermire shall be, and he is hereby, authorized to enter the southwest quarter of the northwest quarter of section thirty-one, township forty-five north, in range one east, being the same which the said Stigermire originally intended to enter, as set forth in his petition: *Provided, That* the same is still subject to entry.

Upon relinquishing certain land, may enter another tract.

Proviso.

No. 1052.—AN ACT for the relief of Enoch Matson.

March 3, 1839.
Vol. 6, p. 770.

Be it enacted, &c., That Enoch Matson be, and he is hereby, authorized to withdraw his location of warrant number one hundred and fifty-five, for six hundred and forty acres, and to locate the same upon any of the unappropriated lands of the United States, in the State of Missouri, now liable to entry at private sale.

Authorized to transfer location of land warrant.

No. 1053.—AN ACT for the relief of Samuel Mussey and Thomas James, of the county of Crawford, in the State of Missouri.

March 3, 1839.
Vol. 6, p. 776.

Be it enacted, &c., That Samuel Mussey and Thomas James, of the county of Crawford, in the State of Missouri, be, and hereby are, authorized to enter, at the proper land office, as tenants in common or joint partnership, such lands in township thirty-eight, of the ranges five and six, west of the fifth principal meridian, as they may desire, at the minimum price: *Provided, however, That* the selection of lands shall be confined to the aforesaid township thirty-eight, of the ranges five and six west of the principal meridian, in the county of Crawford, in the State of Missouri; and this act shall not be construed so as to permit the aforesaid Mussey or James to select, or purchase, or occupy, any lands in said township that may now be in the possession of any actual settler, or under improvement.

Authorized to enter lands as tenants in common.

Proviso.

No. 1054.—RESOLUTION for the relief of Edward Beatty, of Missouri.

March 3, 1839.
Vol. 6, p. 795.

Whereas Edward Beatty, of the county of Marion, in the State of Missouri, some time in the month of March, eighteen hundred and thirty-six, emigrated to Missouri for the purpose of entering public lands; that, in consequence of the representations of others, he converted about nine hundred dollars in specie into certificates of deposit; that, after he had purchased the certificates at an advance of three per cent., he applied to the land office in Palmyra to enter land, when he was informed by the officers that the certificates could not be accepted, as none but the individual who made the deposit of money in the Treas-

Preamble.

ury could enter land with them. In consequence of this condition of the affair, the petitioner has lain out of the use of the money for a year and upwards, and has no prospect of getting it back for some years to come, unless he be aided by Congress. Be it, therefore,

Authorized to enter with certain certificates, land liable to private entry, at \$1.25 per acre.

Resolved, &c., That the said Edward Beatty be, and he is hereby, authorized to enter land at any of the land offices in the State of Missouri, which is now liable to private entry, with the said certificates of deposit, at the price of one dollar and twenty-five cents per acre: *Provided, however*, That the said Beatty shall satisfy the register of the land office at which he may apply for the purpose of entering land, that the assignments on the same are genuine, and that he is legally entitled to the same.

May 27, 1840.
Vol. 5, p. 380.

No. 1055.—AN ACT to revive an act authorizing certain soldiers in the late war to surrender the bounty lands drawn by them and to locate others in lieu thereof, and for other purposes.

[Act of May 22, 1826, revived, and its provisions extended to those having like claims in Missouri and Illinois. See ARKANSAS, No. 1216.]

May 27, 1840.
Vol. 6, p. 801.

No. 1056.—AN ACT for the relief of Joseph Cochran.

Be it enacted, &c., That Joseph Cochran be, and he is hereby, entitled to a preference in becoming the purchaser, according to the provisions of the third section of the act entitled "An act for the final adjustment of private land claims in Missouri," approved ninth July, one thousand eight hundred and thirty-two, of a certain tract of land, lying in the Palmyra district, Missouri, (for which proof of his right has heretofore been made by him to the land officers of said district, and his claim rejected by them on account of the conveyance to him by Albert Tison, the Spanish claimant, bearing date subsequent to the ninth July, one thousand eight hundred and thirty-two,) in the same manner, and under the same restrictions, as to quantity and location, as he would have been entitled to, had said conveyance been made preceding the date of said act: *Provided*, That the entry hereby authorized shall be made within one year from the date of this act: *And provided, further*, That this act shall be considered only as a relinquishment of the rights of the United States, and not to prejudice the rights of third persons.

March 19, 1842.
Vol. 5, p. 471.

No. 1057. AN ACT to authorize the governors of the States of Illinois, Arkansas and Missouri to cause to be selected the lands therein mentioned.

[Governors of Missouri, &c., may cause selections to be made of lands granted for internal improvements by act of September 4, 1841. See ILLINOIS, No. 410.]

June 4, 1842.
Vol. 6, p. 829.

No. 1058.—AN ACT for the relief of James Kiser and Barnett Foley, of Missouri.

Be it enacted, &c., That James Kiser and Barnett Foley, of Missouri, or their legal representatives, be, and they are hereby, authorized to enter at the land office, at St. Louis, Missouri, at the price of one dollar and twenty-five cents, per acre, the west half of the northeast quarter of section twenty-six, township thirty-nine, range seven, lying in said district; and upon such entry, and the payment of the purchase money, a patent shall issue, as in other cases: *Provided*, Said entry be made, and the purchase money paid, within six months from the date of this act: *And provided, further*, That said land has not been sold by the United States before the passage of this act.

July 27, 1842.
Vol. 6, p. 842.

No. 1059.—AN ACT to grant to Van Buren County, Missouri, the tract of land on which the seat of justice of said county has been located.

Be it enacted, &c., That there be, and hereby is, granted to the county of Van Buren, in the State of Missouri, the tract of land whereon the town of Harrisonville is situated, in said county, containing one hundred and sixty acres, according to the survey of Achilles Easby, county surveyor, for the seat of justice for said county, instead of the quarter-section allowed by law for the same purpose; the justice of said county entering said tract in the proper land office, and paying for the same the minimum price, as in other cases.

No. 1060.—AN ACT for the benefit of the county of Holt, in the State of Missouri.

Aug. 1, 1842.
Vol. 6, p. 47.

Be it enacted, &c., That the proper authorities of the county of Holt, in the State of Missouri, be, and they hereby are, authorized to make entry, at the proper land office, within one year next after the date of this act, at the minimum price, of the west half of the southwest quarter of section numbered twenty-six, and the east half of the southeast quarter of section numbered twenty-seven, in township numbered sixty, and range numbered thirty-eight, situated in the said county of Holt, making one hundred and sixty acres, upon which the seat of justice of said county is located, in full satisfaction of the claim of said county under the provisions of the act, entitled, "An act granting to the counties or parishes of each State and Territory of the United States in which the public lands are situated the right of pre-emption to quarter-sections of land for seats of justice within the same," approved twenty-sixth of May, one thousand eight hundred and twenty-four: *Provided*, That said lands shall not have been sold by the United States prior to the date of this act.

May enter certain lands in full satisfaction of claim of said county, under act of May 26th, 1824.

Proviso.

No. 1061.—AN ACT for the relief of Gregoire Sarpy, or his legal representatives.

Aug. 11, 1842.
Vol. 6, p. 854.

Be it enacted, &c., That it shall be the duty of the proper officers of the United States to issue a patent to Gregoire Sarpy, or his legal representatives, for seven thousand and fifty-six arpens, containing six thousand and two acres and and fifty hundredths of an acre of land, pursuant to patent certificate number one thousand and thirty-three, dated September thirteenth, one thousand eight hundred and twenty-five, and to the survey thereof numbered one thousand nine hundred and fifty-three, certified by the surveyor of Illinois, Missouri and Arkansas, at St. Louis, on the thirteenth of September, one thousand eight hundred and twenty-five.

Patent to be issued for a tract of land.

No. 1062.—AN ACT for the relief of Sebastian Butcher, and the heirs and legal representatives of Bartholomew Butcher, Michael Butcher and Peter Bloom.

Aug. 11, 1842.
Vol. 6, p. 859.

Be it enacted, &c., That Sebastian Butcher, and the heirs and legal representatives of Bartholomew Butcher, Michael Butcher, and Peter Bloom, be, and they are hereby, confirmed in and to two tracts of land in the State of Missouri, to wit: One tract of four hundred arpens, about six miles from Mine a la Motte, the plat of which is in the land office at Jackson; and another tract of twelve hundred arpens, situated on the waters of Grand or Big River, a plat of which to be produced by them; the claims of the persons aforesaid to these tracts of land having been recommended for confirmation by the commissioners appointed under the "Act for the final adjustment of private land claims in Missouri," approved the ninth day of July, one thousand eight hundred and thirty-two, in their report dated the twenty-seventh of November, one thousand eight hundred and thirty-three: *Provided*, That this confirmation shall only operate as a relinquishment on the part of the United States to the said tracts of land, and is not intended to affect or interfere with the rights of other persons claiming title thereto; but in the case of the existence of other legal title to said tracts of land, or to any part thereof derived from the United States, by pre-emption or other right, then the said Sebastian Butcher, and the heirs and legal representatives of Bartholomew Butcher, Michael Butcher, and Peter Bloom, be, and they hereby are, authorized to locate a quantity of land equal to that which may have been so taken up from out said claims by virtue of pre-emption or other rights derived from the United States, in legal divisions and subdivisions, not less than half-sections, on any of the unlocated lands of the United States in the State of Missouri, now subject to entry at private sale; for which the proper officer of the Government is hereby authorized and directed to issue patents, on the production of a certificate of the register of the land office within whose district such location may be made.

Certain land confirmed to them.

Proviso.

No. 1063.—AN ACT to authorize the issuing of a patent to the heirs or legal representatives of Francis Rivard, deceased, and for other purposes.

Aug. 20, 1842.
Vol. 6, p. 868.

Be it enacted, &c., That the President of the United States be, and he is hereby, authorized and directed to cause to be issued to the heirs of Francis Rivard, deceased, for the benefit of themselves and their legal assignee or assignees, a patent for an island in the Mississippi River,

Patent to issue to them for an island in the Mississippi.

Proviso.

Report, &c., made by the commissioners, &c., in compilation of land documents, to be deemed equivalent to the original.

opposite the town of St. Genevieve, in the State of Missouri; which said island was granted by the French Government to the said Rivard, in the year seventeen hundred and fifty-six, and pronounced by the board of commissioners in eighteen hundred and twelve to be a complete title: *Provided*, That the same shall only operate as a relinquishment of the right of the United States, and shall not affect the right of third persons.

SEC. 2. *And be it further enacted*, That the report with the accompanying testimony and documents, made by the commissioners for the final settlement of land claims in Missouri, on the twenty-seventh November, eighteen hundred and thirty-three, in pursuance of the "act for the final adjustment of private land claims in Missouri," approved the ninth July, eighteen hundred and thirty-two, and the act approved the second March, eighteen hundred and thirty-three, entitled "An act supplemental to the act, entitled 'An act for the final adjustment of land claims in Missouri,'" as contained on pages from seven hundred and two to eight hundred and thirty-eight, inclusive, of volume five of the compilation of land documents printed by Duff Green in the year eighteen hundred and thirty-four, and selected and edited under the authority of the Senate of the United States, by Walter Lowrie, secretary of the Senate, shall be deemed and taken, in all cases whatsoever, in law and in equity, as authentic and equivalent, similar and identical in all respects whatsoever as the original report of the said commissioners. (a)

(a) See Nos. 722, 728, 957, 967, 972, 973, 974, 976, 980, 988, 998, 1002, 1007, 1020, 1024, 1041, 1067, 1102, 1104, 1106, 1107, 1124, 1139, 1143.

Aug. 29, 1842.
Vol. 5, p. 538.

No. 1064.—AN ACT for creating a new land district in the State of Missouri, and for changing the boundaries of the southwestern and western land districts in said State.

Part of the western land district, and the Platte River country, to constitute the Platte land district.

Be it enacted, &c., That all that portion of the "western land district," created by an act of Congress, entitled "An act to establish an additional land office in the State of Missouri," approved third of March eighteen hundred and twenty-three, which is situated north of the Missouri River, together with the late northwest addition to the State of Missouri, commonly known as the "Platte River country," shall constitute a separate land district, to be called the Platte district.

Register and receiver to be appointed; their residence, &c.

SEC. 2. *And be it further enacted*, That there shall be a register and a receiver appointed for said land district, who shall reside and superintend the sales of the public lands at such place as the President shall designate. They shall give security in the same manner and in the same sums, and their compensation, emoluments, duty, and authority, shall, in every respect, be the same in relation to the lands which may be disposed of at said office, as are or may be provided by law relative to the registers and receivers of public money in the several offices established for the sale of the public lands.

Part of certain districts annexed to the Lexington district.

SEC. 3. *And be it further enacted*, That all that part of the southwestern district of Missouri which is situated north of the line between townships thirty-four and thirty-five, and that portion of the Fayette land district lying west of the line dividing ranges twenty and twenty-one west, south of the Missouri River, is hereby annexed to, and shall make a part of the western or Lexington district of Missouri, the office for which district shall be located at such place as the President shall designate.

Plats of surveys to be deposited in the proper offices.

SEC. 4. *And be it further enacted*, That it shall be the duty of the Secretary of the Treasury, as soon as the same can be done, to cause the plats of the surveys of the new district hereby created, and of the portion annexed to the western district, to be deposited in the proper offices, and he is hereby authorized to allow and pay, out of the proceeds of the sales of the public lands, the reasonable expenses which may be incurred in carrying this act into effect.

Reasonable expenses to be paid.

Act when to take effect.

SEC. 5. *And be it further enacted*, That this act shall take effect and be in force from and after the expiration of six calendar months from the date of the passage thereof. (a)

(a) See Nos. 983, 994, 997, 1001, 1019, 1028, 1076, 1079, 1095.

No. 1065.—AN ACT for the relief of Elizabeth Munroe.Jan. 28, 1843.
Vol. 6, p. 832.

Be it enacted, &c., That Elizabeth Munroe, of the county of Boon, in the State of Missouri, or her legal representatives, upon the surrender at the proper land office, to be cancelled, of the certificate for the east half of the southwest quarter of section number thirty-one, township number fifty-eight, range number twenty-one, entered for her by mistake at the land office at Fayette, Missouri; and, upon the surrender of said certificate, shall be, and they are hereby, authorized to enter eighty acres of land upon which she has located and made her improvements, and which she, at the time of said entry, supposed she was locating: *Provided,* That the land upon which she settled shall not, previous to the date of this act, have been sold by the United States.

Authorized on
surrender of a
certain certifi-
cate to enter land.

Proviso.

No. 1066.—AN ACT for the relief of the citizens of towns upon the lands of the United States, under certain circumstances.May 23, 1844.
Vol. 5, p. 657.

Be it enacted, &c., * * * *And provided, also,* That the corporate authorities of the town of Weston, in the county of Platte, State of Missouri, or the county court of Platte County, in said State, shall be allowed twelve months, from and after the passage of this act, to enter at the proper land office, the lands upon which said town is situate.

Authorities of
Weston allowed
twelve months to
enter lands.**No. 1067.—AN ACT to provide for the adjustment of land claims within the States of Missouri, Arkansas, and Louisiana, and in those parts of the States of Mississippi and Alabama south of the thirty-first degree of north latitude, and between the Mississippi and Perdido rivers.**June 17, 1844.
Vol. 5, p. 676.

Be it enacted, &c., That so much of the expired act of the twenty-sixth of May, one thousand eight hundred and twenty-four, entitled "An act to enable claimants to land within the State of Missouri and Territory of Arkansas, to institute proceedings to try the validity of their claims," as related to the State of Missouri (excluding all such portions of said act as referred to the Territory of Arkansas) be, and is hereby, revived and re-enacted, and continued in force for the term of five years, and no longer; and the provisions of that part of the aforesaid act hereby revived and re-enacted shall be, and hereby are, extended to the States of Louisiana and Arkansas, and to so much of the States of Mississippi and Alabama as is included in the district of country south of the thirty-first degree of north latitude, and between the Mississippi and Perdido rivers, in the same way and with the same rights, powers, and jurisdictions, to every extent they can be rendered applicable, as if these States had been enumerated in the original act hereby revived, and the enactments expressly applied to them as to the State of Missouri; and the district court, and the judges thereof, in each of these States, shall have and exercise the like jurisdiction over the land claims, in their respective States and districts, originating with either the Spanish, French, or British authorities, as by said act was given to the court, and the judge thereof, in the State of Missouri. (a)

Provisions of
act of May 26,
1824, so far as
they related to
the State of Mis-
souri, revived
and extended.District court
to have jurisdic-
tion of French,
Spanish and Brit-
ish claims.

(a) See Nos. 722, 728, 957, 967, 972, 973, 974, 976, 980, 988, 998, 1002, 1007, 1020, 1024, 1041, 1063, 1102, 1104, 1106, 1107, 1124, 1139, 1143

No. 1068.—AN ACT respecting the northern boundary of the State of Missouri.June 17, 1844.
Vol. 5, p. 677.

Be it enacted, &c., That there shall be appointed by the governor of Iowa Territory, by and with the advice and consent of the council of said Territory, a commissioner, to act in conjunction with such commissioner as may be appointed by the State of Missouri, and such third person, not a citizen of the State of Missouri or Territory of Iowa, as may be designated by the two commissioners aforesaid; the duty of which said three persons it shall be, to ascertain, survey, and mark out the northern boundary line of the State of Missouri, and to cause plats of the said line, when so ascertained, surveyed, and marked out, to be returned to the offices of the Secretary of State of the United States, of the State of Missouri, and of the Territory of Iowa, which plats shall be accompanied by reports of their proceedings in the premises.

Commissioners
to be appointed
to run the boun-
dary line be-
tween Iowa and
Missouri.

Commissioners to appoint a surveyor.

Compensation limited.

Report of majority of commissioners fixing the boundary line, to be final.

Act, when to take effect.

Appropriation.

SEC. 2. *And be it further enacted*, That said three commissioners, or a majority of them, shall have authority to appoint a surveyor, and engage the necessary assistants and laborers, to enable them to ascertain, survey, and mark the said line; and the compensation of said commissioners, and of the surveyor employed by them, shall be at the rate of eight dollars per day, for so many days as they may necessarily be employed about the business aforesaid; and the laborers and assistants shall be paid such compensation as may be agreed upon between each of them and the commissioners, or a majority of them, not to exceed two dollars per day.

SEC. 3. *And be it further enacted*, That the report, as aforesaid, of any two of said commissioners, shall be final and conclusive, and the line so ascertained, surveyed, marked out and returned as aforesaid, by any two of said commissioners, shall be the northern boundary line of the State of Missouri.

SEC. 4. *And be it further enacted*, That this act shall not go into force until the legislature of the State of Missouri shall have assented to the same, and agreed to abide by the award of said commissioners, or any two of them, as final and conclusive; and the sum of four thousand dollars is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, to carry into effect the provisions of this act. (a)

(a) See Nos. 971, 989, 990, 1034, 1043, 1045, 1071, 1076.

June 19, 1846.
Vol. 9, p. 651.

No. 1069.—AN ACT to authorize the justices of the county court of Bates County, in the State of Missouri, to enter a certain quarter-section of land for a county seat.

Justices of Bates County may enter land for a county seat.

Be it enacted, &c., That, the justices of the county court of the county of Bates, in the State of Missouri, be, and they are hereby, authorized to enter with the register and receiver of the land office at Clinton, in said State, for the use of said county, whereon the county seat thereof has been located, the northeast quarter of section seventeen, in township, numbered thirty-eight north, of range numbered thirty west; and on payment of the minimum price therefor within twelve months after the passage of this act, a patent shall issue therefor as in other cases.

July 21, 1846.
Vol. 9, p. 656.

No. 1070.—AN ACT for the relief of Robert Barclay, of Missouri.

Robert Barclay authorized to enter certain lands.

Be it enacted, &c., That Robert Barclay, of Missouri, be, and he hereby is, authorized to enter, at any land office in the State of Missouri, six hundred and forty acres of any unimproved land, subject to sale at private entry, according to the divisions of the public surveys; the said six hundred and forty acres being in lieu of, and to be accepted as full compensation for, the concession of eight hundred arpens granted to him by the order of Delassus, the lieutenant governor of the province of Louisiana, dated March sixth, one thousand eight hundred and two, which have been sold by the Government of the United States as public lands.

Aug. 4, 1846.
Vol. 9, p. 52.

No. 1071.—AN ACT to define the boundaries of the State of Iowa, and to repeal so much of the act of the third of March, one thousand eight hundred and forty-five as relates to the boundaries of Iowa.

[Question respecting northern boundary line of Missouri referred to Supreme Court for adjudication. See IOWA, No. 1779.]

Aug. 8, 1846.
Vol. 9, p. 666.

No. 1072.—AN ACT for the relief of James Journey.

James Journey confirmed in his title to tract of land.

Patent to issue.

Be it enacted, &c., That James Journey, who claims title, by virtue of a Spanish concession for four hundred arpens, to the northeast quarter of section thirty, and the northwest quarter of section twenty-nine, both in township forty-seven north, and range one west, in Warren County, Missouri, be confirmed in the same, and that a patent issue to him therefor; and that he also be permitted, without paying any thing

therefor, to enter with the register and receiver of the St. Louis land district forty acres on any of the unappropriated public lands now in market in said district, in full satisfaction of the remainder of said four hundred arpens: *Provided*, That said entry shall not interfere with any rights of any other persons.

Proviso.

No. 1073.—AN ACT for the relief of the legal representatives of John Ruddle.

Aug. 8, 1846.
Vol. 9, p. 673.

Be it enacted, &c., That the legal representatives of John Ruddle be, and are hereby, authorized, by law, to enter three hundred and fifty arpens of any unlocated land now subject to entry in the State of Missouri.

Legal representatives of John Ruddle authorized to enter 350 arpens of land.

No. 1074.—AN ACT for the relief George Gordon.

Feb. 25, 1847.
Vol. 9, p. 686.

Be it enacted, &c., That the entry and purchase by George Gordon, at the land office at St. Louis, Missouri, of the southwest quarter of section thirty-two, in township numbered forty-six, of range numbered six east, as per receiver's certificate numbered eight thousand three hundred and sixty-seven, and the entry and purchase by Zachariah C. Poor, at the same land office, of the southeast quarter of section thirty-one, in township numbered forty-six, of range numbered six east, as per receiver's certificate number eight thousand three hundred and sixty-six, and by the said Poor assigned to said Gordon, and which said entries have been cancelled for irregularity, at the General Land Office, be, and the same are hereby, confirmed and legalized, and a patent or patents shall issue therefor to the said George Gordon, or his assignee, as in other cases.

Entries of certain lands by George Gordon, and by Zachariah C. Poor, legalized and confirmed.

Patents to issue.

No. 1075.—AN ACT to grant a preëmption right to the heirs or legal representatives of John Smith T.

March 3, 1847.
Vol. 9, p. 693.

Be it enacted, &c., That the heirs or legal representatives of John Smith T., the assignee of Jacques St. Vrain, to claim number four, in the report of the commissioners appointed under the act of ninth July, eighteen hundred and thirty-two, for the adjustment of private land claims in Missouri, and the act supplementary thereto, of the second of March, eighteen hundred and thirty-three, be, and the same are hereby, authorized to enter, at the minimum price of the public lands, so much of said claim as has been duly registered, located, and laid down on the plats of the public surveys for reservation, under the authority of the laws of the United States: *Provided, however*, That said entries shall not exceed, in the aggregate, five thousand six hundred acres; and that the said entries shall be made to conform to the surveys and legal subdivisions of the lands of the United States, and to include, as nearly as may be, the reservations as laid down on the plats aforesaid: *And provided, further*, That the acceptance of the permission granted by the provision of this act shall be taken in full satisfaction of the grant of ten thousand arpens made to the said Jacques St. Vrain by the Baron de Caren-dolet, on the tenth day of February, seventeen hundred and ninety-six: *And provided*, That if any private rights exist to any part of said location, adverse to that of the claimants herein, the same shall be reserved and saved to said adverse claimants.

Authorized to enter at the minimum price so much of the claim No. 4 of Jacques St. Vrain as has been registered and located, &c.

Proviso.

To be in full satisfaction of the grant of 10,000 arpens made to said St. Vrain.

Private rights secured.

No. 1076.—AN ACT to confirm the boundary line between Missouri and Arkansas.

Feb. 15, 1848.
Vol. 9, p. 211.

Be it enacted, &c., That the dividing line between the States of Missouri and Arkansas, surveyed by commissioners appointed under authority of laws enacted by those States, and ratified as a common boundary by the act of the legislature of Arkansas, approved twenty-third December, eighteen hundred and forty-six, and of the legislature of Missouri, approved February sixteenth, eighteen hundred and forty-seven, shall be, and the same is hereby, approved and confirmed as the boundary between those States, and between the surveying and land districts bordering thereon; (a) and the Secretary of the Treasury is hereby authorized to have the surveys of the public lands of the United States closed on the line so surveyed as above mentioned: *Provided*, The

Confirmation of survey of boundary line between Missouri and Arkansas.

Public land surveys to be closed on that line.

expense thereof shall not exceed six dollars per mile, for every mile and part of a mile actually surveyed, or necessarily resurveyed in closing those surveys. (b)

(a) See Nos. 983, 994, 997, 1001, 1019, 1028, 1064, 1079, 1095.

(b) See Nos. 971, 989, 990, 991, 1034, 1043, 1045, 1068, 1071.

July 17, 1848.
Vol. 9, p. 724.

No. 1077.—AN ACT to confirm to the legal representatives of Joseph Dutailles the location of a certain New Madrid certificate.

Location under
a New Madrid
certificate con-
firmed.

Patent to issue.

Be it enacted, &c., That the location by the legal representatives or assignee of Joseph Dutailles, under a New Madrid certificate, numbered fifty-two, (52,) of the south half of section eighteen, in township forty-nine north, range nine west, in the State of Missouri, be, and the same is hereby, confirmed, and a patent may issue therefor as in other cases.

Aug. 14, 1848.
Vol. 9, p. 738.

No. 1078.—AN ACT for the relief of William Triplett.

Right to a pre-
emption of a tract
of land in Mis-
souri confirmed
to William Trip-
lett.

Upon payment
being made for
said land, a pat-
ent to issue.
Proviso.

Be it enacted, &c., That the right of William Triplett, of St. Louis County, Missouri, to a preëmption of the southeast quarter of section thirty six, in township forty-five, of range four east, as specified in the certificate of the receiver of the land office at St. Louis, numbered eleven thousand one hundred and seventy-one, held under the act of eighteen hundred and thirty-eight, being the land on which he, the said Triplett, has resided for more than twenty-five years last past, be, and the same is hereby, confirmed and established; and that upon payment being made, or having been made for said land, by said Triplett, a patent shall be issued to him: *Provided,* That all or any previous right acquired, and grants or sales of said land by the United States, shall be, and the same are hereby, expressly saved and reserved from the operation of this act.

Feb. 26, 1849.
Vol. 9, p. 347.

No. 1079.—AN ACT to establish an additional land office in the State of Missouri.

Part of Fayette
land district
formed into new
land district.

To be called
Chariton dis-
trict.

Land office to
be established.

Register and
receiver to be ap-
pointed.

To give bond.
Their compen-
sation, duties,
&c.

Books, maps,
&c., of the Fayette
land district,
transferred to
new office.

Be it enacted, &c., That so much of the public lands of the United States included in the present Fayette district, in the State of Missouri, as lies within the following boundaries, to wit: Beginning at the point on the northern boundary of the State intersected by the line between ranges thirteen and fourteen; thence south along that line until it intersects the line between townships fifty-five and fifty-six; thence west along that line until it intersects the line between ranges twenty-three and twenty-four; thence north along the last mentioned line to the northern boundary of the State; thence east with said boundary line to the beginning, shall be formed into a new land district, to be called the "Chariton district;" and for the sale of the public lands within the district hereby constituted, a land office shall be established at such most convenient place within the said district as the President of the United States may designate.

SEC. 2. *And be it further enacted,* That for the office in the land district hereby created, a register and receiver shall be appointed by the President, by and with the advice and consent of the Senate, who shall severally give bond and security, according to law, before entering on the duties of their respective offices. They shall receive the same compensation, fees, and emoluments, and shall perform similar duties, and possess the same powers with all other registers and receivers of land offices, and shall, in all respects, be governed by the laws of the United States providing for the sale of the public lands.

SEC. 3. *And be it further enacted,* That the Commissioner of the General Land Office shall cause to be transferred to the land office hereby created all such books, maps, records, field-notes, and plats, or transcripts thereof, relating to the surveys and entries of the public lands in this district, as may be necessary for the sale of the public lands, in compliance with the provisions of this act. (a)

(a) See Nos. 983, 994, 997, 1001, 1019, 1028, 1064, 1076, 1095.

No. 1080.—AN ACT for the relief of Solomon Davis.March 2, 1849.
Vol. 9, p. 769.

Be it enacted, &c., That Solomon Davis, of Oregon County, in the State of Missouri, be, and he is hereby, authorized to enter, in place of the northwest quarter of lot number two, in the southwest quarter of section number six, in township number twenty-four north, range five west, any other lot of land subject to private entry, and that his payment, heretofore made for said northwest quarter of lot number two, shall be taken in part payment for said new entry: *Provided*, That the said Solomon Davis shall first release to the United States all his right, title, interest, and claim to said northwest quarter of lot number two, containing thirty-five acres and thirty-six hundredths, more or less, and shall further show, before said release, that the title to said lot number two is still in him, the said Davis, and that the said lot has not been in any way encumbered by mortgage, judgment, taxes, or in any other manner, and that the title thereto is in every respect as good as when the same was entered by the said Davis.

Solomon Davis allowed to enter another lot of land in lieu of the one heretofore entered and paid for by him.
Proviso.

No. 1081.—AN ACT to authorize the citizens of Ozark County, Missouri, to enter less than a quarter-section of land for the seat of justice in said county.March 3, 1849.
Vol. 9, p. 772.

Be it enacted, &c., That the county of Ozark, in the State of Missouri, may enter by preëmption less than a quarter-section of land, to be taken by legal subdivision. Said entry, except as to quantity, shall be made according to the provisions of the act of Congress, approved May twenty-sixth, eighteen hundred and twenty-four, entitled "An act granting to the counties or parishes of each State and Territory of the United States in which the public lands are situated, the right of preëmption to quarter-sections of land for seats of justice within the same."

Citizens of Ozark County authorized to enter a lot of land for seat of justice for said county.

No. 1082.—AN ACT for the relief of Charles McLane, of Missouri.March 3, 1849.
Vol. 9, p. 785.

Be it enacted, &c., That the claim of Charles McLane to seven hundred and forty-eight arpens and sixty-eight perches, which is entered as number thirty-three in the second class of the decisions of the late board of commissioners in Missouri, but which has since been shown to be an ancient and continued settlement claim, be and the same is hereby, confirmed, according to the original survey in eighteen hundred and six.

Ancient settlement claim of Charles McLane to 748 arpens and 68 perches of land confirmed to him.

SEC. 2. *And be it further enacted*, That this confirmation is in no manner to impair or affect any interfering adverse recognized claim, if any such should be found to exist when a retracing and connection by survey of the original lines of said claim shall be made by the proper officer of the United States, pursuant to this confirmation; and that after such survey shall be made, and an official plat of the same returned to the General Land Office, a relinquishment patent shall be issued, in which shall be saved and protected any adverse interfering right, if such exist.

This confirmation not to impair any adverse recognized claim.

After survey and return of plat to General Land Office, patent to issue.

No. 1083.—AN ACT granting the right of way to the State of Missouri, and a portion of the public lands, to aid in the construction of certain railroads in said State.June 10, 1852.
Vol. 10, p. 8.

Be it enacted, &c., That the right of way through the public lands be and the same is hereby granted to the State of Missouri, for the construction of railroads from the town of Hannibal to the town of St. Joseph, in said State, and from the city of St. Louis to such point on the western boundary of said State as may be designated by the authority of said State, with the right also to take necessary materials of earth, stone, and timber for the construction thereof, from the public lands of the United States adjacent to said railroads: *Provided*, That in locating the railroads aforesaid, and assigning the limits to the easement, no more land shall be taken from the United States than is necessary for a convenient construction and use of said roads as public ways for transportation, including stations, with the usual build-

Right of way through the public lands granted to Missouri for railroads, and also right to take materials, &c.

Proviso as to amount to be taken.

ings of all kinds, turn-outs and such other appurtenances as are usually enjoyed by railroad companies, and a copy of the location of said roads, made under the direction of the legislature, shall be forwarded to the proper local land offices respectively, and to the General Land Office at Washington City, within ninety days after the completion of the same, to be recorded.

Copy of location to be filed.

Grant of lands to Missouri in aid of said railroads.

Provisos.

The minimum price of the sections not granted doubled.

The granted lands to be applied to no other purpose, and the railroads to be free to the use of the United States.

How the granted lands are to be disposed of.

The mail to be transported at such prices as Congress shall fix.

SEC. 2. *And be it further enacted*, That there be, and is hereby granted to the State of Missouri, for the purpose of aiding in making the railroads aforesaid, every alternate section of land designated by even numbers, for six sections in width on each side of said road; but in case it shall appear that the United States have, when the line or route of said roads, or either of them, shall be definitely fixed by the authority aforesaid, sold any section or any part thereof granted as aforesaid, or that the right of preëmption has attached to the same, then it shall be lawful for any agent or agents to be appointed by the governor of said State, to select, subject to the approval of the Secretary of the Interior, from the lands of the United States most contiguous to the tier of sections above specified, so much land in alternate sections or parts of sections as shall be equal to such lands as the United States have sold, or to which the right of preëmption has attached as aforesaid; which lands, thus selected in lieu of those sold, and to which pre-emption rights have attached as aforesaid, together with the sections and parts of sections designated by even numbers as aforesaid, and appropriated as aforesaid, shall be held by the State of Missouri for the use and purpose aforesaid: *Provided*, That the lands to be so located shall in no case be further than fifteen miles from the line of the road in each case: *Provided further*, That the lands hereby granted shall be exclusively applied in the construction of that road for which it was granted and selected, and shall be disposed of only as the work progresses, and the same shall be applied to no other purpose whatsoever: *And provided further*, That any and all lands heretofore reserved to the United States by any act of Congress, or in any other manner by competent authority, for the purpose of aiding in any object of internal improvement, or for any other purpose whatsoever, be and the same are hereby reserved to the United States from the operation of this act, except so far as it may be found necessary to locate the route of the said railroads through such reserved lands; in which case the right of way only shall be granted. (a)

SEC. 3. *And be it further enacted*, That the sections and parts of sections of land which, by such grant, shall remain to the United States, within six miles on each side of said roads, shall not be sold for less than double the minimum price of the public lands when sold; which lands shall from time to time be offered at public sale to the highest bidder, under the direction of the Secretary of the Interior, and shall not be subject to entry until they shall have been so offered at public sale. (b)

SEC. 4. *And be it further enacted*, That the said lands hereby granted to the said State shall be subject to the disposal of the legislature thereof, for the purposes aforesaid, and no other; and the said railroads shall be and remain public highways for the use of the Government of the United States, free from toll or other charge upon the transportation of any property or troops of the United States.

SEC. 5. *And be it further enacted*, That the lands hereby granted to said State shall be disposed of by said State only in manner following, that is to say: that a quantity of land not exceeding one hundred and twenty sections on each road, and included within a continuous length of twenty miles of said road, may be sold; and when the governor of said State shall certify to the Secretary of the Interior, that said twenty miles of said road is completed, then another like quantity of land hereby granted may be sold; and so from time to time, until said road is completed; and if said road be not completed within ten years, no further sales shall be made, and the land unsold shall revert to the United States.

SEC. 6. *And be it further enacted*, That the United States mail shall at all times be transported on said railroads under the direction of the Post-Office Department, at such price as Congress may by law direct. (a)

(a) See Nos. 1086, 1088, 1111, 1112, 1113, 1120, 1121, 1122, 1125, 1131, 1132, 1133, 1134, 1136, 1152.

(b) See Nos. 729, 961, 963, 997, 1007, 1009, 1010, 1020, 1028, 1066, 1096, 1110, 1115, 1120, 1121, 1135.

No. 1084.—AN ACT giving the assent of Congress to the State of Missouri to impose a tax or taxes upon all lands hereafter sold by the United States therein, from and after the day of such sale.

June 10, 1852.
Vol. 10, p. 10.

Be it enacted, &c., That the assent of Congress is hereby given to the State of Missouri, to impose a tax or taxes upon all lands hereafter sold by the United States, in said State, from and after the day of such sale: *Provided,* That the assent hereby given shall in nowise impair that provision of the compact with the said State which declares that all lands belonging to citizens of the United States residing without the said State shall never be taxed higher than lands belonging to persons residing therein. (a)

Missouri may tax public lands as soon as sold.

Proviso as to taxes on non-residents.

(a) See Nos. 791, 989.

No. 1085.—AN ACT for the relief of James W. Campbell, of Pike County, Missouri.

July 21, 1852.
Vol. 10, p. 733.

Be it enacted, &c., That James W. Campbell, of Pike County, State of Missouri, be authorized to enter, free of charge, any of the public lands, subject to private entry, at one dollar and twenty-five cents per acre, lying in the district of lands subject to sale at the land office at Palmyra, in said State, not exceeding one hundred and twenty acres, upon making proof satisfactory to the register and receiver of said land office, subject to the approval of the Commissioner of the General Land Office, that he is the legal assignee of John J. Jackson, and that two certain receiver's receipts, numbered nineteen thousand five hundred and thirteen, and nineteen thousand five hundred and fourteen, dated June twenty-six, eighteen hundred and thirty-eight, purporting to be issued by A. Bird, receiver at Palmyra, in favor of said Jackson, one for fifty dollars, and one for one hundred dollars, are genuine, and upon surrendering said receipts to the United States and executing a relinquishment of all his right, title, and interest to the land therein described.

James W. Campbell authorized to enter certain lands on certain conditions.

No. 1086.—AN ACT granting the right of way and making a grant of land to the States of Arkansas and Missouri, to aid in the construction of a railroad from a point on the Mississippi, opposite the mouth of the Ohio River, via Little Rock, to the Texas boundary near Fulton, in Arkansas, with branches to Fort Smith and the Mississippi River.

Feb. 9, 1853.
Vol. 10, p. 155.

Be it enacted, &c., That the right of way through the public lands be and the same is hereby granted to the States of Arkansas and Missouri, for the construction of a railroad from a point on the Mississippi River, opposite the mouth of the Ohio, in the State of Missouri, via Little Rock, to the Texas boundary line near Fulton, in Arkansas, with branches from Little Rock, in Arkansas, to the Mississippi River and to Fort Smith, in said State, with the right to take necessary materials of earth, stone, timber, etc., for the construction thereof: *Provided,* That the right of way shall not exceed one hundred feet on each side of the length thereof, and a copy of the survey of said road, made under the direction of the legislatures of the said States, shall be forwarded to the proper local land offices respectively, and to the General Land Office at Washington City, within ninety days after the completion of the same.

Grant of right of way to Arkansas and Missouri for a railroad.

Extent of right. Copy of survey to be filed.

SEC. 2. *And be it further enacted,* That there be and is hereby granted to the States of Arkansas and Missouri, respectively, for the purpose of aiding in making the railroad and branches as aforesaid, within their respective limits, every alternate section of land designated by even numbers, for six sections in width on each side of said road and branches; but in case it shall appear that the United States have, when the line or route of said road is definitely fixed by the authority aforesaid, sold any part of any section hereby granted, or that the right of preëmption has attached to the same, then it shall be lawful for any agent or agents, to be appointed by the governor of said State, to select, subject to the approval aforesaid, from the lands of the United States most contiguous to the tier of sections above specified, so much land in alternate sections or parts of sections as shall be equal to such lands as the United States have sold, or to which the right of preëmption has attached as aforesaid, which lands, being equal in quantity to one-half of six sections in width on each side of said road, the States of Arkansas and Missouri shall have and hold to and for the use and purpose aforesaid: *Provided,* That the lands to be located shall in no case be further than fifteen miles from the line of the road: *And provided further,*

Grant of land to said States in aid of such railroad.

Provisos.

Purpose to which the granted land is to be applied.

Reserved lands excepted from said grant.

Price of sections not granted to be doubled.

Lands granted to be appropriated to said purpose.

No charge to be made to the United States for transportation of property or troops.

How said lands may be disposed of.

Unsold lands to revert if the railroad is not completed in ten years.

Mail to be transported at such prices as Congress shall direct.

That the lands hereby granted shall be applied in the construction of said road, and shall be disposed of only as the work progresses, and shall be applied to no other purpose whatsoever: *And provided further*, That any and all lands reserved to the United States by any act of Congress, for the purpose of aiding in any object of internal improvement, or in any manner for any purpose whatsoever, be and the same are hereby reserved to the United States from the operation of this act, except so far as it may be found necessary to locate the routes of the said railroad and branches through such reserved lands. (a)

SEC. 3. *And be it further enacted*, That the sections and parts of sections of land which by such grant shall remain to the United States within six miles on each side of said road, shall not be sold for less than double the minimum price of the public lands when sold. (b)

SEC. 4. *And be it further enacted*, That the said lands hereby granted to the said States shall be subject to the disposal of the legislatures thereof, for the purposes aforesaid and no other; and the said railroad and branches shall be and remain a public highway for the use of the Government of the United States, free from toll or other charge upon the transportation of any property or troops of the United States.

SEC. 5. *And be it further enacted*, That the lands hereby granted to said States shall be disposed of by said States only in the manner following; that is to say, that a quantity of land not exceeding one hundred and twenty sections, and included within a continuous length of twenty miles of said road, may be sold; and when the governors of said State or States shall certify to the Secretary of the Interior that twenty continuous miles of said road is completed, then another like quantity of land hereby granted may be sold; and so from time to time until said road is completed; and if said road is not completed within ten years, no further sales shall be made, and the land unsold shall revert to the United States.

SEC. 6. *And be it further enacted*, That the United States mail shall at all times be transported on the said road and branches, under the direction of the Post-Office Department, at such price as Congress may by law direct. (a)

(a) See Nos. 1083, 1088, 1111, 1112, 1113, 1120, 1121, 1122, 1125, 1131, 1132, 1133, 1134, 1136, 1152.

(b) See Nos. 729, 981, 983, 997, 1007, 1009, 1010, 1020, 1028, 1083, 1096, 1110, 1115, 1120, 1121, 1135.

Feb. 9, 1853.
Vol. 10, p. 732.

No. 1087.—AN ACT for the relief of Joseph M. Wilcoxon, of the State of Missouri.

Certain land entries in Missouri confirmed to J. M. Wilcoxon.

Proviso.

Be it enacted, &c., That entries number twenty-one thousand nine hundred and seventy-seven, and twenty-two thousand one hundred and thirty-eight, of the south half of section three, and the southeast fractional quarter of section nine, on island number nineteen, in township fifty-one, north of range twenty-two west, in the State of Missouri, heretofore made by Joseph M. Wilcoxon, be, and the same are hereby confirmed to the said Joseph M. Wilcoxon, his heirs and assigns, and the title to the said land be, and the same is hereby vested in the said Joseph M. Wilcoxon, his heirs and assigns: *Provided*, That this act shall not be construed to interfere with, or in anywise impair, the rights of third persons in and to the said land or any part thereof.

Feb. 14, 1853.
Vol. 10, p. 754.

No. 1088.—AN ACT granting the right of way to the St. Louis and Iron Mountain Railroad Company, and for other purposes.

Right of way at St. Louis granted to the St. Louis and Iron Mountain Railroad.

Proviso.

Be it enacted, &c., That the right of way, sixty feet in width, through the lands in which the St. Louis arsenal, the St. Louis marine hospital, and Jefferson barracks are situated, in the State of Missouri, be and the same is hereby granted to the St. Louis and Iron Mountain Railroad Company, for the construction of a railroad from the city of St. Louis through said lands: *Provided*, That the location of said road through the lands aforesaid shall be made subject to the approval of the Secretary of War: *Provided further*, That said location can be made without injury to the public interest in the opinion of the said Secretary of War. (a)

(a) See Nos. 1083, 1088, 1111, 1112, 1113, 1120, 1121, 1122, 1125, 1131, 1132, 1133, 1134, 1136, 1152.

No. 1089.—AN ACT for the relief of Conrad Wheat, jr., or his legal representatives.

July 27, 1854.
Vol. 10, p. 798.

Be it enacted, &c., That the location of six hundred and forty acres of land, and which is described as survey number two thousand four hundred and fifty-three in township forty-four north, of range five and six east, of the principal meridian, in the State of Missouri, made by Conrad Wheat, jr., on the twenty-second day of October, eighteen hundred and sixteen, under a certificate of location numbered one hundred and thirteen, issued on the twelfth day of August, eighteen hundred and sixteen, by the recorder of land titles, to the said Wheat, is hereby confirmed.

Conrad Wheat, jr.'s location of 640 acres of land confirmed.

SEC. 2. *And be it further enacted,* That the Commissioner of the General Land Office is hereby authorized to issue a patent to the said Conrad Wheat, jr., or his legal representatives, for the said lands.

Patent to issue to said Wheat or his representatives.

No. 1090.—AN ACT for the relief of William J. McElhiney, E. P. Matthews, and Lawrence Cribben.

Aug. 3, 1854.
Vol. 10, p. 813.

Be it enacted, &c., That William J. McElhiney, E. P. Matthews, and Lawrence Cribben, shall be, and they are hereby, respectively authorized to enter the portions of the southeast fractional quarter of fractional section ten, and the southwest fractional quarter of fractional section eleven, west of the St. Charles commons, in township forty-sixth north, of range four east, in the district of lands subject to sale at St. Louis, Missouri, now in possession of each of them, upon producing proof to the satisfaction of the land officers for said district, of the extent of their possessions, respectively, in said fractional sections, and paying therefor the minimum price of the public lands; and, upon such proof and payment being made, certificates and patents shall be issued therefor, as in other cases of the sale of public lands.

Wm. J. McElhiney, E. P. Matthews, and L. Cribben, are severally authorized to enter certain lands now in their possession, upon certain conditions.

When patent to issue therefor.

No. 1091.—AN ACT for the relief of Lloyd Dorsey, and others.

Aug. 5, 1854.
Vol. 10, p. 825.

Be it enacted, &c., That Lloyd Dorsey, of the county of St. Charles, and State of Missouri, be, and he is hereby, authorized to enter at the proper land office in said State, at the minimum price of the public lands, the southeast fractional quarter of section twenty-two, township forty-six, range four east, containing one hundred and forty-two and eighty-nine one-hundredth acres; and that he is hereby authorized to enter, for the use and benefit of the heirs of George Pitzer, deceased, the southwest fractional quarter of section twenty-two, township forty-six, range four east, containing one hundred and four acres, and the northeast fractional quarter of section twenty-seven, township forty-six, range four east, containing forty-six acres: *Provided,* That nothing in this act contained shall prejudice the rights of any person or persons having any legal or equitable claim to the lands herein mentioned, any or part thereof.

Lloyd Dorsey authorized to enter certain land.

Proviso.

No. 1092.—AN ACT for the relief of the legal representatives of George McGirk.

Aug. 5, 1854.
Vol. 10, p. 826.

Be it enacted, &c., That the legal representatives of George McGirk be, and they are hereby, authorized to enter, without payment, one hundred and sixty acres of land, in any land office of the State of Missouri, in lieu of a tract of land claimed by them in said State, viz: the northwest quarter of section one, in township forty-eight, of range seventeen, (west of the fifth principal meridian line, and being survey number two thousand five hundred and forty-four;) for which land, so entered by them, the register of the land office shall issue the necessary certificate, on payment of the fee therefor, on return of which said certificate to the General Land Office, a patent shall issue in favor of said legal representatives.

The representatives of McGirk authorized to enter certain lands.

No. 1093.—AN ACT for the relief of the inhabitants of township forty-five, range one, in Warren County, Missouri.

Aug. 5, 1854.
Vol. 10, p. 827.

Whereas the concession of six hundred arpens of land by C. D. Delassus, the lieutenant governor of Upper Louisiana, to Andrew Kinaird, and which concession was confirmed by the act of Congress of July fourth, eighteen hundred and thirty-six, entitled "An act confirming claims to land in the State of Missouri, and for other purposes," was located prior to the surveys of the public lands in Missouri; and whereas,

Preamble.

upon the survey of said lands one-half of section sixteen, of township forty-five, of range one west, in Warren County, Missouri, was covered by the concession to said Kinaird: Therefore—

Other lands may be selected in lieu of one-half of section 16.

Be it enacted, &c., That the board of directors of common schools in and for said township be, and they are hereby, authorized to select and have set apart, for the use of schools in said township, one-half of a section of any of the public lands in the land district within which said county is situated, in lieu of the half of said section sixteen, which is covered by the concession to said Kinaird; and when the said board of directors shall make the selection of said half-section, the[y] shall notify the register of the land office in said district of the land so selected, and the same shall be reserved from sale and set apart for the use of schools in said township: *Provided*, That said selection and notification be made within twelve months after the passage of this act, and provided said selection shall be according to the legal subdivisions of the public lands, and in quantities not less than eighty acres.

Proviso.

When selected; how to be held and used.

SEC. 2. *And be it further enacted*, That, when the half-section of land shall have been so as aforesaid selected and reported to the register aforesaid, the same shall vest in the State of Missouri, subject to the same disposition and uses, and shall be held subject to the same conditions and terms in all respects whatsoever, as by the sixth section of the act of Congress of March sixth, eighteen hundred twenty, entitled "An act to authorize the people of Missouri Territory to form a constitution and State government, and for the admission of such State into the Union on an equal footing with the original States, and to prohibit slavery in certain Territories," were prescribed or intended in relation to sections numbered sixteen. (a)

(a) See Nos. 972, 988, 989, 995, 1013, 1016, 1114, 1142, 1145.

Jan. 12, 1855.
Vol. 10, p. 832.

No. 1094.—AN ACT authorizing the legal representatives of Antoine Vasquez, Hypolite Vasquez, Joseph Vasquez, and John Colligan, to enter certain lands in Missouri.

Be it enacted, &c., That the legal representatives of Antoine Vasquez, Hypolite Vasquez, Joseph Vasquez, and John Colligan, be, and they are hereby, authorized to enter, without payment, at any land office in the State of Missouri, in such quantities, agreeably to the United States surveys, as the claimants may desire, a quantity of land subject to private entry, not exceeding eight hundred arpens for each of the three persons first above named, and twelve hundred arpens for said Colligan, in lieu of, and in compensation for, a claim of that quantity allowed to them by the board of commissioners appointed for the final adjustment of private land claims in the State of Missouri, and confirmed to them by "An act confirming claims to land in the State of Missouri, and for other purposes," approved July fourth, eighteen hundred and thirty-six; and the register or registers of the land offices aforesaid shall receive the proper applications and proofs, and shall issue the necessary certificate or certificates, on return of which to the General Land Office, with proofs sufficient, in the opinion of the Secretary of the Interior, to establish the right of the claimants as such legal representatives, a patent or patents shall issue, as in other cases.

Representatives of Antoine Vasquez, and others, authorized to enter certain land in Missouri in lieu of another claim.

Patent to issue.

April 5, 1856.
Vol. 11, p. 2.

No. 1095.—AN ACT to continue temporarily the land offices at Kalamazoo, in the State of Michigan, and at Palmyra, in the State of Missouri.

[See MICHIGAN, No. 525a.]

July 3, 1856.
Vol. 11, p. 23.

No. 1096.—AN ACT granting to certain citizens of the State of Missouri the right to enter certain lands in the Plattsburg district, in said State.

Preamble.

Whereas the State of Missouri, under the provisions of the eighth section of the act of Congress of the fourth September, eighteen hundred and forty-one, selected certain lands in the Plattsburg district, in the said State of Missouri, which lands were thereupon withheld from sale by the United States; and whereas the said State of Missouri permitted entries thereof to be made at the State land office; and whereas, also, the said selections by the State of Missouri were subsequently rejected and not confirmed to the said State; now therefore,

Be it enacted, &c., That in all cases where persons purchase such lands from the said State of Missouri, by entry at the State land office, the title to which lands is still in the United States, such persons so having purchased the same, or their assignees, in case the same shall have been sold and conveyed, shall be permitted to enter the same at the proper land office of the United States, at the price of one dollar and twenty-five cents per acre: *Provided,* That in all cases where entries of such lands have been permitted to be made at the proper United States land office, at one dollar and twenty-five cents per acre, by persons who had purchased the same from the State of Missouri, or their assignees, such entries or sales shall be, and the same are hereby, confirmed: *Provided, further,* That nothing in this act contained shall be construed so as to interfere with the rights of third parties. (a)

Purchasers from Missouri of certain land in the Plattsburg district.

Proviso.

(a) See Nos. 729, 981, 983, 997, 1007, 1009, 1010, 1020, 1028, 1083, 1086, 1110, 1115, 1120, 1121, 1135.

No. 1097.—AN ACT authorizing the legal representatives of Manuel Gonzales Moro to enter certain lands in Missouri.

Aug. 23, 1856.
Vol. 11, p. 482.

Be it enacted, &c., That the legal representatives of Manuel Gonzales Moro be and they are hereby authorized to enter, without payment, at any land office in the State of Missouri, in such quantities, agreeably to the United States surveys, as the claimants may desire, a quantity of land subject to private entry, not exceeding seven thousand and fifty-six arpens of land, at a price not exceeding one dollar and twenty-five cents per acre, in lieu of and in compensation for a claim of that quantity allowed to them by the board of commissioners appointed for the final adjustment of private land claims in the State of Missouri, and confirmed to them by "An act confirming claims to land in the State of Missouri, and for other purposes," approved July fourth, eighteen hundred and thirty-six. And the register and receiver of the land offices aforesaid shall receive the proper applications and proofs, and shall issue the necessary certificate or certificates; on return of which to the General Land Office, with proof sufficient, in the opinion of the Secretary of the Interior, to establish the right of the claimants as such legal representatives, a patent or patents shall issue as in other cases.

Representatives of Manuel Gonzales Moro authorized to enter certain land in Missouri.

No. 1098.—AN ACT to authorize the legal representatives of Pascal L. Cerre to enter certain lands in the State of Missouri.

Jan. 26, 1857.
Vol. 11, p. 488.

Be it enacted, &c., That the legal representatives of Pascal L. Cerre be and they are hereby authorized to locate, free of costs, on any of the public lands of the United States in the State of Missouri, agreeably to the United States surveys, subject to sale at private entry, at the minimum price, the quantity of seven thousand and fifty-six arpens of land, less such quantity of lands as they may have already acquired under and by virtue of the confirmatory act of eighteen hundred and thirty-six, entitled "An act confirming claims to lands in the State of Missouri, and for other purposes," approved July fourth, eighteen hundred and thirty-six; and the Commissioner of the General Land Office, upon the receipt of the proper certificate or certificates, and upon being satisfied that such claimants are such legal representatives, shall cause a patent or patents to be issued as in other cases.

Representatives of Pascal L. Cerre authorized to locate certain land in Missouri.

No. 1099.—AN ACT for the relief of Charles Lucas, or his legal representatives, and for other purposes.

Feb. 3, 1857.
Vol. 11, p. 490.

Be it enacted, &c., That Charles Lucas, or his legal representatives, be and he or they are hereby confirmed in the hereinafter-described one hundred and twenty-five acres and fifty-eight one-hundredths of an acre, part and parcel of a tract of three hundred and twenty-three acres and fourteen one-hundredths of an acre, located by virtue of New Madrid certificate number two hundred and thirteen, corresponding to survey number two thousand five hundred and ninety-two, lying in the Palmyra, Missouri, land district, that is to say, the west half of the southwest quarter of section twenty-five, a strip eighty-one links wide off the entire north side of the northwest quarter of section thirty-six, and so much off the south end of the east half of the southwest quarter of section twenty-five, township fifty-eight north, of range six west, as

Charles Lucas or his representatives confirmed in their title to land in Missouri.

together will (with the said west half and said strip) make said quantity of one hundred and twenty-nine acres and fifty-eight one-hundredths of an acre, and that a patent be issued therefor to the said Charles Lucas, or his legal representatives, upon the receipt of a plat and survey of the same, executed by the proper officer, which said patent shall have the same force and effect as if the said certificate number two hundred and thirteen had issued for said quantity hereby confirmed.

John T. Redd permitted to enter certain land in Missouri.

SEC. 2. *And be it further enacted*, That John T. Redd, for himself and those claiming title derived from him, be and he is hereby permitted to enter with the register and receiver of the proper land office, at the price of one dollar and twenty-five cents per acre, all the rest and residue of said east half of the southwest quarter of section twenty-five, in township fifty-eight north, of range six west, included in the location under said certificate number two hundred and thirteen, and not included in the said one hundred and twenty-nine acres and fifty-eight one-hundredths of an acre, so as aforesaid confirmed.

March 3, 1857.
Vol. 11, p. 511.

No. 1100.—AN ACT for the relief of Martin Fenwick.

Martin Fenwick confirmed in certain land in Missouri.

Be it enacted, &c., That Martin Fenwick be and he is hereby confirmed in his claim to five hundred arpens of land, situated on the west bank of the Mississippi River, in the State of Missouri, and described as follows, to wit: Fractional sections five and six, lying north of the private land claim surveyed to George A. Hamilton, number one thousand two hundred and forty-four, in township thirty-four: the southeast fractional quarter and the northwest fractional quarter of fractional section thirty-one, and fractional section thirty-two, in township thirty-five, all of range fourteen east, of the lands subject to sale at Jackson, Missouri, and containing in the aggregate four hundred and twenty-five acres and forty-six hundredths of an acre.

Authorized to enter certain land in Missouri.

SEC. 2 *And be it further enacted*, That said Martin Fenwick shall have the exclusive right, within one year from the passage of this act, to enter at the minimum price of public lands, subject to private sale, the southwest quarter, and the fractional northeast quarter of fractional section thirty-one, township thirty-five north, of range fourteen east, of the lands subject to sale at Jackson, Missouri.

Said lands to embrace said Fenwick's claim.

SEC. 3. *And be it further enacted*, That the lands hereby confirmed, together with the lands authorized to be entered, are intended to embrace the claims of Martin Fenwick, as reserved on the plats of the land office at Jackson, Missouri, on the twenty-seventh day of January, eighteen hundred and twenty-four, deducting therefrom any part thereof that may have been sold by the United States prior to the passage of this act.

Patent to issue.

To operate only as a relinquishment of title.

SEC. 4. *And be it further enacted*, That the Commissioner of the General Land Office shall cause a patent to be issued to the said Martin Fenwick for the lands hereby confirmed: *Provided*, That such patent shall only operate as a relinquishment of title on the part of the United States, and shall not affect the rights of any third person.

May 24, 1858.
Vol. 11, p. 531.

No. 1101.—AN ACT for the relief of Regis Loisel, or his legal representatives.

Claim of Regis Loisel to land confirmed.

Be it enacted, &c., That the said Regis Loisel, or his legal representatives, be, and they are hereby, confirmed in their title to a certain tract of land ceded by Don Carlos Dehault Delassus, Spanish governor of upper Louisiana, on the twenty-fifth day of March, anno Domini eighteen hundred, to Regis Loisel, situate in what was then known as Upper Louisiana, on the Missouri River, including Cedar Island, as the same was surveyed on the twentieth November, anno Domini eighteen hundred and five, by Antonio Soulard, surveyor-general for the Territory of Louisiana, according to the plat now on file in the archives of the Missouri District. But it is provided that if said tract of land, confirmed as aforesaid, or any part thereof, has been located by any other person or persons, under any law of the United States, or has been surveyed and sold by the United States, this act shall confer no title to such lands in opposition to the rights acquired by such location or purchase; but the said Loisel, or his legal representatives, shall be permitted to make a relocation on an equal amount of the public lands as may be

If said land is located by others, Loisel may relocate.

taken by such location or purchase, that may be subject to entry at private sale, at a price not to exceed one dollar and twenty-five cents per acre; and the surveyor-general for the district of Missouri shall issue a certificate to authorize the same.

SEC. 2. *And be it further enacted*, That the location authorized by this act shall be entered with the register of the proper land office, who shall, on application for that purpose, make out a certificate of such location as in other cases; and if it shall appear to the Commissioner of the General Land Office that said certificate has been obtained according to the provisions of this act, then patents shall issue as in other cases: *And it is further provided*, That if it shall be found that said tract of land, confirmed as aforesaid, has not been located by any other person or persons, or has not been sold by the United States as aforesaid, that, in that case, a patent shall be issued for the same as in other cases.

Certificate of location and patent.

No. 1102.—AN ACT to provide for the location of certain confirmed private land claims in the State of Missouri, and for other purposes.

June 2, 1852.
Vol. 11, p. 294.

Be it enacted, &c., That the decisions in favor of certain land claimants herein made by the recorder of land titles in the State of Missouri and the two commissioners associated with him, by virtue of an act entitled "An act for the final adjustment of private land claims in Missouri," approved July nine, eighteen hundred and thirty-two, and an act supplemental thereto, approved second March, eighteen hundred and thirty-three, as entered in the transcript of decisions transmitted by the said recorder and commissioners to the Commissioner of the General Land Office, which said claims are named and numbered as follows: Manuel de Liza, number thirty-three; John Coontz and Hempstead, number forty-four; Matthew Saucier, number fifty-seven; Charles Tayon, number sixty-seven; the sons of Joseph M. Pepin, number seventy-four; Louis Lorimer, number eighty-seven; Bartholomew Cousin, number eighty-nine; Manuel Gonzales Moro, number ninety-five; Seneca Rawlins, number one hundred and four; William L. Long, number one hundred and six; Joachim Liza, number one hundred and thirty-three; Francis Lacombe, number thirty-four; Israel Dodge, number three hundred and thirty-eight; Joseph Silvain, number two hundred and ninety-three; John P. Cabanis, number two hundred and ninety-eight; William Hartley, number three hundred and one; Andrew Chevalier, number two hundred and ninety-two; William Morrison, number three hundred and seven; Solomon Bellew, number three hundred and eight; Paschal Detchemendez, number three hundred and nine; Baptiste Amure, number three hundred and ten; Alexander Maurice, number three hundred and twenty-three; John Baptiste Vallee, number three hundred and thirty-four; said decisions above named being in the first class of claims, acted upon by said board; also the claim of Regis Loisel, number six, in the second class, acted on by said board, be, and the same are hereby, confirmed to the respective claimants or their legal representatives.

Decisions of recorder, &c., as to certain private land claims in Missouri confirmed.

SEC. 2. *And be it further enacted*, That the decisions in favor of land claimants made by P. Grimes, Joshua Lewis, and Thomas B. Robertson, commissioners appointed to adjust private land claims in the eastern district of the Territory of Orleans, communicated to the House of Representatives by the Secretary of the Treasury, on the ninth day of January, one thousand eight hundred and twelve, and which is [are] found in the American State Papers, Public Lands, (Duff Green's edition,) volume two, from page two hundred and twenty-four to three hundred and sixty-seven, inclusive, be, and the same are hereby, confirmed, saving and reserving, however, to all adverse claimants the right to assert the validity of their claims in a court or courts of justice: *Provided, however*, That any claim so recommended for confirmation, but which may have been rejected, in whole or in part, by any subsequent board of commissioners, be, and the same is hereby, specially excepted from confirmation. (a)

Decisions in favor of other claims confirmed.

Proviso.

SEC. 3. *And be it further enacted*, That the locations authorized by the preceding section shall be entered with the register of the proper land office, who shall, on application for that purpose, make out for such claimant, or his legal representatives, (as the case may be,) a certificate of location, which shall be transmitted to the Commissioner of the General Land Office; and if it shall appear to the satisfaction of the said

Locations to be entered with register, &c.

If Commissioner of General Land Office is satisfied, patents shall issue.

Register's fee. When private land claim has not been located, the certificate may be located, &c.

Proviso.

Register to issue certificate, and patent to issue.

Commissioner that said certificate has been fairly obtained, according to the true intent and meaning of this act, then, and in that case, patents shall be issued for the land so located as in other cases; and for each and every certificate as aforesaid, issued by the register of any land office, he shall receive the sum of one dollar; that in all cases of confirmation by this act, or where any private land claim has been confirmed by Congress, and the same, in whole or in part, has not been located or satisfied, either for want of a specific location prior to such confirmation, or for any reason whatsoever, other than a discovery of fraud in such claim subsequent to such confirmation, it shall be the duty of the surveyor-general of the district in which such claim was situated, upon satisfactory proof that such claim has been so confirmed, and that the same, in whole or in part, remains unsatisfied, to issue to the claimant, or his legal representatives, a certificate of location for a quantity of land equal to that so confirmed and unsatisfied; which certificate may be located upon any of the public lands of the United States subject to sale at private entry, at a price not exceeding one dollar and twenty-five cents per acre: *Provided*, That such location shall conform to legal divisions and subdivisions.

SEC 4. *And be it further enacted*, That the register of the proper land office, upon the location of such certificate, shall issue to the person entitled thereto a certificate of entry, upon which, if it shall appear to the satisfaction of the Commissioner of the General Land Office that such certificate has been fairly obtained, according to the true intent and meaning of this act, a patent shall issue as in other cases. (b)

(a) See Nos. 722, 728, 957, 967, 972, 973, 974, 976, 980, 988, 998, 1002, 1007, 1020, 1024, 1041, 1063, 1067, 1104, 1106, 1107, 1124, 1139, 1143.

(b) See Nos. 957, 998, 1041, 1106, 1107.

Feb. 28, 1859.
Vol. 11, p. 888.

NO. 1103.—AN ACT giving the assent of Congress to a law of the Missouri legislature for the application of the reserved two per cent. land fund of said State.

Assent of Congress given to an act of the legislature of Missouri.

Accounts to be audited, &c.

Be it enacted, &c., That the assent of Congress be, and the same is hereby, given to the act of the legislature of the State of Missouri, entitled "An act supplemental to an act to amend 'An act to secure the completion of certain railroads in this State, and for other purposes,'" approved on the nineteenth day of November, eighteen hundred and fifty-seven, appropriating the two per centum of the net proceeds of sales of public lands in said State, reserved by existing laws to be expended under the direction of Congress, but hereby relinquished to that State; and that the proper accounting officers of the Government are hereby authorized and required to audit and pay the accounts for the same, as in the case of the three per centum land fund of said State. (a)

(a) See Nos. 989, 993, 1015.

March 3, 1859.
Vol. 11, p. 442.

NO. 1104.—A RESOLUTION in relation to the second section of the act of Congress entitled "An act to provide for the location of certain confirmed private land claims in the State of Missouri and for other purposes."

Operation of act of 1858, concerning certain private land claims in Missouri, in part suspended.

Resolved, &c., That the second section of the act of Congress, entitled "An act to provide for the location of certain confirmed private land claims in the State of Missouri and for other purposes," approved June second, eighteen hundred and fifty-eight, is hereby so suspended in its operation and effect until the end of the Thirty-sixth Congress, as that no patent or patents shall be issued, nor shall any action be had by the executive branch or department of the Government, or any officer or agent thereof, under or by virtue of said section. (a)

(a) See Nos. 722, 728, 957, 967, 972, 973, 974, 976, 980, 988, 998, 1002, 1007, 1020, 1024, 1041, 1063, 1067, 1102, 1106, 1107, 1124, 1139, 1143.

June 1, 1860.
Vol. 12, p. 844.

NO. 1105.—AN ACT to grant the right of preëmption to a certain tract of land, in the State of Missouri, to the heirs and legal representatives of Thomas Maddin, deceased.

Heirs, &c., of Thomas Maddin to enter certain land in Missouri.

Be it enacted, &c., That the heirs and legal representatives of Thomas Maddin, deceased, late of the State of Missouri, be, and they are hereby, authorized to enter and purchase, at the price of one dollar and twenty-five cents per acre, a tract of land containing eight hundred arpents, or six hundred and eighty acres and fifty-six hundredths, surveyed for the said Thomas Madden, in his own right, as per patent certificate of sur-

vey number eighteen hundred and thirty-one, reported to the General Land Office by Surveyor-General Langham as having been surveyed on the sixteenth day of March, eighteen hundred and eighteen, and situated on the waters of Joachim Creek, in township forty-one north, of range five east, of the fifth principal meridian, in the county of Jefferson and State of Missouri.

SEC. 2. *And be it further enacted*, That the Commissioner of the General Land Office be, and he is hereby, authorized and directed, upon the entry and payment aforesaid, to cause a patent, in due form of law, to be issued to the said heirs and legal representatives of the said Thomas Maddin, deceased, in conformity with the description given in patent certificate number ninety-two, as issued by Frederick Bates, then recorder in the office of "recorder of land titles" in Saint Louis, in the said State of Missouri, bearing date, at his said office, the first day of November, eighteen hundred and twenty-two, in which said certificate reference is made to the said tract of land, as having been confirmed to the said Thomas Madden, pursuant to the acts of Congress respecting claims to lands in the Territories of Orleans and Louisiana, and the Territory of Missouri, and as having been regularly surveyed on the sixteenth day of March, eighteen hundred and eighteen, and designated on the connected plat of United States surveys, in the United States surveyor-general's office at Saint Louis, Missouri, as number eighteen hundred and thirty-one, and in which said patent certificate number ninety-two it is certified that the said Thomas Maddin is entitled to receive a patent for the said tract of land, according to the said patent certificate of survey, as aforesaid, number eighteen hundred and thirty-one: *Provided, however*, That the right of preëmption and purchase herein granted shall cease at the end of two years from the date of the passage of this act, and that the right and title of the United States in and to said land shall not be affected nor impaired by virtue of any of the provisions of this act in the event of the failure of the said heirs and legal representatives of Thomas Maddin to avail themselves of said right of preëmption and purchase within the said period of two years.

Patents to issue therefor.

NO. 1106.—AN ACT to confirm certain private land claims in the State of Missouri.

June 21, 1860.
Vol. 12, p. 866.

Be it enacted, &c., That the decisions in favor of certain claimants hereinafter mentioned, made by the recorder of land titles in the State of Missouri, and the two commissioners associated with him, by virtue of an act entitled "An act for the final adjustment of private land claims in Missouri," approved July nine, eighteen hundred and thirty-two, and an act supplementary thereto, approved March two, eighteen hundred and thirty-three, as entered in the transcript of decisions transmitted by the recorder and commissioners to the Commissioner of the General Land Office, which decisions are named and numbered as follows, to wit: Israel Dodge, number two hundred and eighty-eight; Walter Fenwick, number three hundred and thirty-nine; and Mackey Wherry, number eighty-six; said claims having been by said board reported in the first class, and recommended for confirmation, be, and the same are hereby, confirmed to the respective claimants aforesaid, or their legal representatives, to the extent recommended by said recorder of land titles and commissioners, that is, to Israel Dodge, or his legal representatives, seven thousand and fifty-six arpens; to Walker Fenwick, or his legal representatives, ten thousand arpens; and to Mackey Wherry, or his legal representatives, sixteen hundred arpens. (a)

Certain private land claims in Missouri confirmed.

SEC. 2. *And be it further enacted*, That, in case either of the claims confirmed by this act, or any part thereof, has not been located or surveyed, or cannot be located or satisfied, either for want of a specific location prior to this confirmation, or because the land upon which the same is located has been otherwise disposed of by the General Government, it shall be the duty of the surveyor-general of the district, upon proof satisfactory to him that such claim has been confirmed, and that the same, in whole or in part, has not and cannot be satisfied for the reasons aforesaid, or from any cause, to issue to the claimants, or their legal representatives, a certificate of location for a quantity of land equal to that so confirmed and unsatisfied, which certificate may be located upon any of the public lands of the United States subject to sale at private entry, at a price not exceeding one dollar and twenty-five cents per acre: *Provided*, That such location shall conform to the legal divisions and subdivisions as provided by law.

Provision in case claims have not been and cannot be located.

Proviso.

Certificate of entry to issue, and patent.

SEC. 3. *And be it further enacted*, That the register of the proper land office, upon the location of such certificate, shall issue to the person entitled thereto a certificate of entry; upon which, if it shall appear to the satisfaction of the Commissioner of the General Land Office that such certificate has been fairly obtained, a patent shall issue as in other cases. (b)

(a) See Nos. 722, 728, 957, 967, 972, 973, 974, 976, 980, 988, 998, 1002, 1007, 1020, 1024, 1041, 1063, 1067, 1102, 1104, 1107, 1124, 1139, 1143.

(b) See Nos. 957, 998, 1041, 1102, 1107.

June 22, 1860.
Vol. 12, p. 85.

No. 1107.—AN ACT for the final adjustment of private land claims in the States of Florida, Louisiana, and Missouri, and for other purposes.

[See LOUISIANA, No. 957.]

Feb. 5, 1861.
Vol. 12, p. 882.

No. 1108.—AN ACT for the benefit of Gabriel J. Johnston.

Land entry of Gabriel J. Johnston confirmed.

Be it enacted, &c. That the entry made by Gabriel J. Johnston, of Jefferson County, Missouri, on the second day of November, eighteen hundred and twenty-nine, of the northeast quarter of section number eleven, in township number forty-one north, of range number four east, in the district of lands subject to sale at Saint Louis, Missouri, be, and the same is hereby, confirmed and declared valid, notwithstanding said tract of land was at the time of entry reserved from sale as mineral lands. And the Commissioner of the General Land Office is hereby authorized and required to issue to said Gabriel J. Johnston a patent for said tract, as in ordinary cases of the entry of public lands subject to sale at private entry.

Title of the United States only released.

SEC. 2. *And be it further enacted*, That this act shall not be construed to interfere with any existing rights of third persons, but shall only operate as a relinquishment of the title of the United States.

March 2, 1861.
Vol. 12, p. 908.

No. 1109.—AN ACT to remove the United States arsenal from the city of Saint Louis, and to provide for the sale of the lands on which the same is located.

United States arsenal to be removed from St. Louis.
Lands to be sold.

Be it enacted, &c., That the Secretary of War be, and he is hereby, authorized and required to proceed at once to have the grounds now used for the purposes of an arsenal, in the city of Saint Louis, laid off into blocks, according to the present plan of that portion of the city, and to have the same subdivided into lots of a convenient size, for building purposes, and subject the western unoccupied portion of the same to sale to the highest bidder, at public vendue, on such terms as to him may seem most advantageous, first giving sixty days' notice by advertisement in at least three newspapers, published in the city of Saint Louis, of the time, place, and terms of sale, with a description of the property to be sold; the proceeds of such sale to be applied to the erection at Jefferson Barracks, in the State of Missouri, of suitable buildings for containing all the tools, implements, machinery, arms, and materials now at said Saint Louis arsenal.

Proceeds, how applied.

Arsenal, &c., to be transferred to Jefferson Barracks.

SEC. 2. *And be it further enacted*, That the Secretary of War be, and hereby is, authorized, as soon as the buildings above provided for shall be in readiness for that purpose, to cause the business heretofore carried on at said Saint Louis arsenal to be transferred to the military reservation known as "Jefferson Barracks," in the county of Saint Louis, and State of Missouri, and also to cause all the tools, implements, machinery, arms, and materials now at said arsenal to be removed to said reservation.

Residue of lands in St. Louis to be sold.

SEC. 3. *And be it further enacted*, That, as soon as possible after the removal of the arsenal from Saint Louis to Jefferson Barracks, the Secretary of War shall sell, in the manner directed in the first section of this act, all the residue of the grounds attached to the said Saint Louis arsenal, and the buildings thereupon; the proceeds of such sale shall be paid into the United States Treasury. (a)

(a) See Nos. 1128, 1129.

No. 1110.—AN ACT legalizing certain entries of lands on Leavenworth Island, in the State of Missouri.

March 2, 1861.
Vol. 12, p. 200.

Be it enacted, &c., That all preëmption entries heretofore made in good faith at the land office at Kickapoo, in the Delaware land district, Kansas Territory, of lands embraced within the island opposite Leavenworth City, known as Leavenworth Island, in the State of Missouri, be, and the same are hereby, declared valid, in the same manner as if made in the proper land district of the State of Missouri: *Provided*, Such entries shall be found by the Secretary of the Interior, in all other respects, to be in accordance with the preëmption law. (a)

Certain entries of land in Missouri declared valid.

(a) See Nos. 729, 981, 983, 997, 1007, 1009, 1010, 1020, 1028, 1083, 1086, 1096, 1115, 1120, 1121, 1135.

No. 1111.—JOINT RESOLUTION in relation to certain railroads in the State of Missouri.

March 6, 1862.
Vol. 12, p. 614.

Whereas by the fourth section of an act of Congress entitled "An act granting the right of way to the State of Missouri, and a portion of the public lands to aid in the construction of certain railroads in said State," approved June the tenth, eighteen hundred and fifty-two, it is provided as follows: "That the said lands, hereby granted to the said State, shall be subject to the disposal of the legislature thereof, for the purposes aforesaid and no other; and the said railroads shall be and remain public highways for the use of the Government of the United States, free from toll or other charge upon the transportation of any property or troops of the United States;" and whereas the said grant of lands has, by virtue of said act, and of an act of the legislature of the State of Missouri, been applied in the construction of the Hannibal and Saint Joseph Railroad, constructed and owned by the Hannibal and Saint Joseph Railroad Company, and the Pacific Railroad by the Pacific Railroad Company, which last-mentioned road is finished and running from St. Louis to Rolla; and whereas the ability of said railroad companies to transport the property and troops of the United States over their respective railroads has been greatly impaired by the destruction of bridges, depots, and other property of said companies, and the partial destruction of said roads, and in view of the pressing public necessities, the United States, not waiving the right to have their property and troops transported free from toll or other charge by said railroads, as contemplated by the reservation aforesaid, have resolved as follows: Therefore be it

Pay to certain railroads in Missouri for transportation of troops, &c.

Resolved, &c., That the Secretary of War is hereby authorized to make such an adjustment with the Hannibal and Saint Joseph Railroad Company and the Pacific Railroad Company, for the transportation, past and prospective, of the property and troops of the United States, over said railroads during the existence of this rebellion, as in view of the public exigency may be just and reasonable, and liquidate the same: *Provided, however*, That the sums paid to said companies shall be as near as may be the cost of transporting such property and troops, and not exceeding the prices fixed by the War Department on the twelfth day of July, eighteen hundred and sixty-one, for transportation by railroads, which adjustment and liquidation shall preclude any further claim on behalf of such companies against the Government for compensation or damages previously accrued, or for the military occupation of the said roads by the United States Government up to the time of the passage of this act: *And provided further*, That the Secretary of War may, in his discretion, withhold from time to time such portion of the moneys which may be due to either of said railroad companies, to indemnify the Government against any failure of such company to promptly transport such troops and supplies; but nothing herein shall be so construed as to prevent the Secretary of War from taking possession of said railroads and their appurtenances, and applying the same to the exclusive use of the Government whenever, in his judgment, the public interests may require it, without, in such case, compensation to said companies. (a)

Pay not to exceed, &c.

Part may be withheld.

Railroads may be taken possession of.

(a) See Nos. 1083, 1086, 1088, 1112, 1113, 1120, 1121, 1122, 1125, 1131, 1132, 1133, 1134, 1136, 1152.

June 5, 1862.
Vol. 12, p. 422.

No. 1112.—AN ACT supplemental to "An act granting the right of way to the State of Missouri, and a portion of the public lands to aid in the construction of certain railroads in said State," approved June tenth, eighteen hundred and fifty-two.

Time for completion of road extended for ten years.

Be it enacted, &c., That the time required by the act to which this is supplemental, for the completion of the road therein described, "from the city of Saint Louis to such point on the western boundary of said State as may be designated by the authority of said State," as well as the time of reversion to the United States of the lands thereby granted to the State of Missouri for the use of said road, is hereby extended for ten years from the tenth day of June, eighteen hundred and sixty-two:

If not completed within that time, lands to revert.

Provided, That in case said company fail to complete said road within the time as thus extended, the said lands shall then revert to the United States. (a)

(a) See Nos. 1063, 1066, 1068, 1111, 1113, 1120, 1121, 1122, 1125, 1131, 1132, 1133, 1134, 1136, 1152.

July 1, 1862.
Vol. 12, p. 489.

No. 1113.—AN ACT to aid in the construction of a railroad and telegraph line from the Missouri River to the Pacific Ocean, and to secure to the Government the use of the same for postal, military, and other purposes.

[See NEBRASKA, No. 2092.]

June 15, 1864.
Vol. 13, p. 132.

No. 1114.—AN ACT concerning certain school lands in township forty-five north, range seven east, in the State of Missouri.

Certain school lands granted to Missouri.

Be it enacted, &c., That all of the right, title, and interest of the United States in and to all of the lots, tracts, pieces, and parcels of land within the Grand Prairie common-field, in township forty-five north of the base line, in range seven east of the fifth principal meridian line in the State of Missouri, which have not heretofore been disposed of by the United States, shall be, and the same are hereby, granted, relinquished, and conveyed by the United States, in fee-simple and in full property, to the State of Missouri, for the support of schools in said township: *Provided,* That nothing in this act shall in any manner abridge, divest, impair, injure, or prejudice any adverse right, title, or interest of any person or persons in or to any portion or part of the aforesaid lots, tracts, pieces, or parcels of land which are granted, relinquished, or conveyed by this act. (a)

Adverse rights not affected.

(a) See Nos. 972, 968, 989, 995, 1013, 1016, 1093, 1142, 1145.

June 20, 1864.
Vol. 13, p. 143.

No. 1115.—AN ACT to confirm certain entries of land in the State of Missouri.

Certain entries of land in Missouri confirmed.

Be it enacted, &c., That all entries heretofore made under the graduation act of August fourth, eighteen hundred and fifty-four, in township forty-five north, of range nine west, south of Missouri River, in the district of land subject to sale at St. Louis, Missouri, shall be, and are hereby, confirmed: *Provided, however,* That this act shall not extend to any entry of land aforesaid upon which there was an actual settler other than the purchaser at the date of such entry, and that it shall first be shown to the satisfaction of the Secretary of the Interior that the entry has been made in good faith, and is founded upon actual settlement and cultivation, or is for the use of an adjoining farm: *Provided, further,* That the lands shall be paid for in money, or in land warrants, to the amount of one dollar and twenty-five cents per acre. (a)

(a) See Nos. 729, 981, 983, 997, 1007, 1009, 1010, 1020, 1026, 1063, 1066, 1096, 1110, 1120, 1121, 1135.

June 30, 1864.
Vol. 13, p. 581.

No. 1116.—AN ACT concerning certain locations of lands in the State of Missouri.

The interest of the United States in certain lands in Missouri granted to—

Be it enacted, &c., That all of the right, title, and interest of the United States in and to all of the lands within the respective boundaries of the following-described locations in township forty-five north, of the base line, in range seven east, of the fifth principal meridian line, in the State of Missouri, made by virtue of certificates issued under the act of Congress, approved February the seventeenth, eighteen hundred and fifteen, entitled "An act for the relief of the inhabitants of the late

county of New Madrid, in the Missouri Territory, who suffered by earthquakes," shall be, and the same are hereby, granted, relinquished, and conveyed by the United States, in fee-simple and in full property, to the following-mentioned persons, respectively, or their respective legal representatives, in whose names said locations were severally made, to wit: Location under certificate number one hundred and sixty-one, being survey number two thousand five hundred, in the name of Joseph Hunot, or his legal representatives; location under certificate number three hundred and forty-eight, being survey number two thousand seven hundred and twelve, in the name of James Conway, or his representatives; location under certificate number one hundred and fifty-nine, being survey number two thousand four hundred and ninety-one, in the name of J. Smith, or his legal representatives; location under certificate number one hundred and forty-five, being survey number two thousand four hundred and ninety-nine, in the name of Martin Coontz, or his legal representatives; location under certificate number nineteen, being survey number two thousand six hundred and ninety-two, in the name of Joseph Genereux, or his representatives; location under certificate number sixteen, being survey number two thousand six hundred and twenty, in the name of Francis Delisle, or his legal representatives; and location under certificate number one hundred and sixty-four, being survey number two thousand five hundred and forty-one, in the name of John Brooks, or his legal representatives: *Provided, however,* That nothing contained in the foregoing provisions of this act shall, directly or indirectly, comprehend, include, extend to, grant, relinquish, or convey, the whole or any part of any lot, tract, piece or parcel of land in said township which has heretofore been confirmed and surveyed by the United States to any person or persons, or to the legal representatives of any person or persons: *And provided, further,* That nothing in this act shall in any manner abridge, divest, impair, injure, or prejudice, any adverse right, title, or interest of any person or persons in or to any portion or part of the aforesaid lots, tracts, pieces, or parcels of land which are granted, relinquished, or conveyed by this act.

Joseph Hunot.

James Conway.

J. Smith.

Martin Coontz.

Joseph Genereux.

Francis Delisle.

John Brooks.

Nothing heretofore conveyed granted hereby.

Rights of third persons not affected hereby.

No. 1117.—AN ACT quieting doubts in relation to the validity of certain locations of lands in the State of Missouri, made by virtue of certificates issued under the act of Congress of February the seventeenth eighteen hundred and fifteen.

March 21, 1866.
Vol. 14, p. 12.

Be it enacted, &c., That all locations of lands in the State of Missouri, purporting to have been made by virtue of certificates issued under the act of Congress, approved February the seventeenth, eighteen hundred and fifteen, entitled "An act for the relief of the inhabitants of the late county of New Madrid, in the Missouri Territory, who suffered by earthquakes," which are invalid in consequence of having been made or located after the expiration of the time specified by law for making said locations, shall be, and the same are hereby declared to be, as valid, and as binding, as if the said locations had been made and fully completed within the time prescribed by law, provided said locations shall be according to law in all other respects; but the foregoing provisions of this section shall not apply to, comprehend, include, or extend to any land within township forty-five, north of the base line, in range seven, east of the fifth principal meridian line in said State of Missouri.

Certain locations of land in Missouri made valid.

SEC. 2. *And be it further enacted,* That the United States do hereby grant, relinquish, and convey, in fee-simple, and in full property, to James Y. O'Carroll, or his legal representatives, all of the right, title, and interest of the United States in and to all of the land within survey number two thousand four hundred and ninety-eight, in township forty-five, north of the base line in range seven east of the fifth principal meridian line, in the State of Missouri, being the same land that was located by virtue of certificate number one hundred and fifty, issued to the said James Y. O'Carroll, or his legal representatives, under the act of Congress approved February the seventeenth, eighteen hundred and fifteen, entitled "An act for the relief of the inhabitants of the late county of New Madrid, in the Missouri Territory, who suffered by earthquakes": *Provided, however,* That nothing in this section shall grant, relinquish, or convey the whole or any part of any lot, tract, piece, or parcel of land in said township, which has been heretofore confirmed by the United States to any person or persons, or to the legal representatives of any person or persons: *And provided further,* That

Right of the United States in certain lands conveyed to James Y. O'Carroll, &c.

Provisions.

nothing in this act shall be so construed as to invalidate or impair any patent heretofore issued by the United States, or shall in any manner abridge, divest, impair, injure, or prejudice any valid adverse right, title, or interest of any person or persons in or to any portion or part of the aforesaid land which is granted, relinquished, and conveyed by this act. (a)

(a) See Nos. 977, 985, 992, 1004, 1017.

April 12, 1866.
Vol. 14, p. 580.

No. 1118.—AN ACT to confirm unto Augustin Amiot, his legal assigns and representatives, a certain lot of ground in the city of Saint Louis, in the State of Missouri.

Preamble.

Whereas, under the act of Congress approved June twenty-second, eighteen hundred and sixty, entitled "An act for the final adjustment of private land claims in the States of Florida, Louisiana, and Missouri, and for other purposes," the recorder of land titles for the city of Saint Louis, for the State of Missouri, has reported to the Commissioner of the General Land Office that there ought to be confirmed to Augustin Amiot, or to his legal representatives, under class one, under the third section of the act aforesaid, the lot of ground in the town of Saint Louis, Missouri, described as follows: commencing at the northwest corner of the lot in block number forty-six, being the northwest corner of the block at the intersection of Sycamore and Second streets; thence south fifty-eight degrees forty-one minutes east, along the south edge of Sycamore street to the northern boundary of the lot one hundred and sixty feet five inches, the northeast corner of the lot at the south edge of Sycamore street; thence south thirty degrees thirty minutes west, along the eastern boundary of the lot, one hundred and twenty-eight feet four inches, the southeast corner of the lot; thence north fifty-eight degrees forty-one minutes west, along the southern boundary of the lot, one hundred and sixty feet five inches, the southwest corner of the lot at the east edge of Second street; thence north thirty degrees thirty minutes east, along the east edge of Second street to the western boundary of the lot, one hundred and twenty-eight feet four inches, the beginning northwest corner of the lot, the said lot of ground being one hundred and twenty by one hundred and fifty French feet; and whereas the Commissioner of the General Land Office has approved the report of the said recorder of land titles, and has reported the same to Congress for its action; Therefore—

Lot in St. Louis confirmed to Augustin Amiot.

Be it enacted, &c., That the said lot of ground in the city of Saint Louis, Missouri, be, and the same is hereby, confirmed unto the said Augustin Amiot, his legal assigns and representatives, and that all the right, title, and interest of the United States in and to the same be, and the same is hereby, granted and confirmed unto the said Augustin Amiot, his legal assigns and representatives.

June 12, 1866.
Vol. 14, p. 62.

No. 1119.—AN ACT authorizing documentary evidence of titles to be furnished to the owners of certain lands in the city of St. Louis.

Preamble.

Whereas within the city of Saint Louis, in the State of Missouri, there are many lots, tracts, pieces, and parcels of land which were confirmed by the act of Congress of June the thirteenth, eighteen hundred and twelve, on the ground of inhabitation, possession, or cultivation of the same prior to December the twentieth, eighteen hundred and three, and in some cases there is no adequate documentary evidence of said confirmations; and in consequence of the death of the ancient witnesses, who knew the facts of said inhabitation, possession, or cultivation, the owners of said lands, in said cases where there is no adequate documentary evidence of said confirmations, are without complete evidence of title to the same, as against the United States; and whereas persons holding grants and confirmations of lands in said city of Saint Louis, under other acts of Congress heretofore passed, may, in some cases, be without perfect documentary evidence of said grants or confirmations by the United States, and difficulties may hereafter arise therefrom, to the great injury of such persons: therefore—

District court may decree the title of the United States in cer-

Be it enacted, &c., That the district court of the United States for the eastern district of Missouri is hereby authorized, by proper decree, to declare released, granted, relinquished, and conveyed by the United

States, in fee-simple and in full property, all of the right, title, and interest of the United States in and to any lot, tract, piece or parcel of land within the city of Saint Louis, in the State of Missouri, to the person or persons having the best claim or claims to the same; but nothing in this act shall authorize said court to declare released, granted, relinquished, and conveyed, as aforesaid, any land within any wharf, street, lane, avenue, alley, or other public thoroughfare, or within the boundaries of any land which has been heretofore granted or assigned by the United States for the use or support of schools, or within the boundaries of any land heretofore lawfully confirmed or lawfully granted by the United States, where full, sufficient, and complete documentary evidence of such confirmation or grant now exists of record.

tain lots in St. Louis to the person having the best claim.

Certain property not to be released.

Not where full documentary evidence exists.

SEC. 2. *And be it further enacted*, That every person desiring a decree in his or her favor, under this act, shall file a petition in said district court, asking for such decree, and describing the land for which said decree is desired; and the United States and all persons claiming such land adversely to said petitioner (if there be any such adverse claimants) shall be made defendants in said cause; and if any party to any such cause shall be a minor under the age of twenty-one years, a guardian ad litem shall be appointed by said court for said minor; and said district court shall have full and complete power, jurisdiction, and authority to hear, try, and determine all questions arising in said cause relating to the claim of the petitioner, the extent, locality, and boundaries of said claim, and all other matters connected therewith or concerning the same; and said district court shall also have power to make, prescribe, and enforce such rules and regulations as may be necessary and proper to carry this act into full and complete execution.

Proceedings to obtain a decree.

Who to be made defendants. Minors. Authority of district court.

SEC. 3. *And be it further enacted*, That a copy of every petition which shall be filed under this act, and a copy of the writ or process thereto attached, shall be delivered to the district attorney of the United States for said eastern district of Missouri, by the United States marshal for said district, which said delivery shall make the United States a party to the cause specified in such petition, without any other or further proceedings, notice, service, writ or process whatever; and said district attorney shall make such defence therein for the United States as in his opinion the public interest may require; but no answer or other pleadings filed by said attorney in such cause shall be required to be verified by oath or affirmation.

United States made a party by delivery of copy of petition and process thereon to, &c.

Defense, answer, pleadings.

SEC. 4. *And be it further enacted*, That for the purpose of more completely describing, identifying, and defining the boundaries, situation, and locality of any lot, tract, piece or parcel of land sought to be released, granted, relinquished and conveyed under this act, the said district court shall have power to cause an accurate survey, plat, and description thereof to be made by a competent person at the expense of the petitioner; and all of the expenses and costs of all suits and other proceedings under this act shall be paid by the respective petitioners, and the payment thereof may be enforced by execution or otherwise.

Surveys, &c., to be made of lands sought to be released, at expense of petitioner.

Costs of suits.

SEC. 5. *And be it further enacted*, That every decree which shall be rendered under this act in favor of any petitioner shall be deemed a full, sufficient, and complete release, grant, relinquishment, and conveyance, in fee-simple and in full property, to such petitioner, and to his or her heirs and assigns, forever, of all the right, title, and interest of the United States in and to the land described in such decree.

Effect of decree.

SEC. 6. *And be it further enacted*, That whenever said district court or the circuit court shall render a final decree under this act, concerning any lot, tract, piece or parcel of land, such court shall cause to be transmitted to the Commissioner of the General Land Office a full, true, and complete transcript of said final decree, and of the description of survey of said land.

Transcript of final decree, &c., to be sent to Commissioner of General Land Office.

SEC. 7. *And be it further enacted*, That any party to any final decree rendered by said district court in any suit or cause commenced under this act may appeal from said final decree of said district court to the circuit court of the United States for the district of Missouri, at any time within one year from the time of the rendition of said final decree, and not after that time; and on the granting of said appeal, a full, true, and complete transcript of said final decree, and of the petition, and all other pleadings and proceedings in said cause, and of the evidence therein, shall be transmitted to said circuit court. And when said appeal shall have been completed, said circuit court shall have full

Appeal to circuit court within one year.

Transcript of petition, &c.

Jurisdiction of circuit court. Amendments. New parties. Decree. and complete jurisdiction over said cause, and may allow the pleadings to be amended if necessary, and may admit new parties if necessary, and shall hear, try, and determine said cause de novo, without regarding any error, defect, or other imperfection in the proceedings of said district court, and shall render such final decree therein as the facts and the justice of said cause may require.

Question may be certified to Supreme Court of United States when, &c. SEC. 8. *And be it further enacted*, That in case of any difference of opinion between the judges of the said circuit court upon any question arising in any such cause, the same may be certified to the Supreme Court of the United States, for its decision thereon as in other cases. (a)

Title of the United States in wharves, streets, &c., in St. Louis, conveyed to the city. SEC. 9. *And be it further enacted*, That all of the right, title, and interest of the United States in and to all of the wharves, streets, lanes, avenues, alleys, and other public thoroughfares which are situate, lying, and being within the corporate limits of the city of St. Louis, in the State of Missouri, shall be, and the same are hereby, granted, relinquished, and conveyed by the United States, in fee-simple and in full property, to the said city of St. Louis, and to the successors and assigns forever of said city: *Provided, however*, That no individual rights or titles acquired previously hereto shall be in any manner impaired or prejudiced hereby.

Proviso.

(a) See Nos. 972, 999, 1016, 1143.

July 4, 1866.
Vol. 14, p. 83.

No. 1120.—AN ACT making a grant of lands in alternate sections to aid in the construction and extension of the Iron Mountain Railroad, from Pilot Knob, in the State of Missouri, to Helena, in Arkansas.

Lands granted to Missouri for extension of Iron Mountain Railroad.

Alternate sections.

If any of the lands have been before granted or pre-empted, other lands to be selected in lieu thereof.

Lands to be in Iron ton land district, and within twenty miles of the road.

Mineral lands, except coal and iron, reserved.

Right of way granted.

Lands granted to Arkansas for extension of railroad to Helena.

Alternate sections.

Lands may be selected in lieu of those before granted, &c.

Be it enacted, &c., That there be, and is hereby, granted to the State of Missouri, for the purpose of aiding in the construction and extension of the Iron Mountain Railroad, from its present terminus at Pilot Knob to a point on the southern boundary line of the State of Missouri, every alternate section of land, designated by odd numbers, for ten sections in width on each side of said road; but in case it shall appear when the route of said road is definitely fixed that the United States have sold any sections or parts thereof, granted as aforesaid, or that the right of pre-emption has attached to the same, then it shall be lawful for any agent or agents to be appointed by the governor of said State to select, subject to the approval of the Secretary of the Interior, from the lands of the United States nearest to the tiers of sections above specified so much land in sections or parts of sections, to be selected as aforesaid, as shall be equal to such lands as the United States have sold or otherwise appropriated or to which the rights of pre-emption have attached, which lands thus selected shall be held by the State of Missouri for the use and purposes aforesaid, and for none other: *Provided*, That the lands so located shall be within the Iron ton land district as now established and not more than twenty miles from the line of said road: *And provided, further*, That all mineral lands except those containing coal and iron, and any lands heretofore reserved to the United States by any act of Congress or in any other manner by competent authority for the purpose of aiding in any object of internal improvement, or for any other purpose whatever, be, and the same are, reserved to the United States from the operation of this act, except so far as it may be found necessary to locate the routes of said railroad through the same, in which case the right of way only shall be granted, subject to the approval of the President of the United States.

SEC. 2. *And be it further enacted*, That there be, and is hereby, granted to the State of Arkansas, for the purpose of aiding in the construction and extension of a railroad from the point where the Iron Mountain Railroad intersects the southern boundary line of Missouri, by the nearest and most practicable route, to a point at or near the town of Helena, on the Mississippi River, every alternate section of land, designated by odd numbers, for ten sections in width on each side of said road; but in case it shall appear, when the line of said road is definitely fixed, that the United States have sold any sections or parts thereof, granted as aforesaid, or that the right of pre-emption has attached to the same, then it shall be lawful for any agent or agents to be appointed by the governor of said State, to select, subject to the approval of the Secretary of the Interior, from the lands of the United States nearest to the tiers of sections above specified so much land, in alternate sections, designated as aforesaid, as shall be equal to such lands as the United States have sold or otherwise appropriated, or to which the rights of pre-emption

have attached, which lands thus selected shall be held by the State of Arkansas for the use and purposes aforesaid, and for none other: *Provided*, That the land so selected and located shall in no case be further than twenty miles from the line of road when the same shall be located: *And provided further*, That all mineral lands, except those containing coal and iron, and any lands heretofore reserved to the United States by any act of Congress, or in any other manner by competent authority, for the purpose of aiding in any object of internal improvement, or for any other purpose whatever, be, and the same are, reserved to the United States from the operation of this act, except so far as it may be found necessary to locate the routes of said railway through the same, in which case the right of way only shall be granted, subject to the approval of the President of the United States. (a)

To be within twenty miles of railroad.

Mineral lands, except coal and iron, reserved.

Right of way.

SEC. 3. *And be it further enacted*, That the sections and parts of sections of land which shall remain to the United States within ten miles on either side of said road, and the even sections and parts of sections corresponding to the odd ones selected within twenty miles of the same, shall not be sold for less than double the minimum price of the public lands when sold, nor shall any of the said lands become subject to private entry until the same shall have been first offered at public sale to the highest bidder at or above the minimum price as aforesaid: *Provided*, That actual bona-fide settlers under the pre-emption laws of the United States may, after the proof of settlement, improvement, and occupation, as now provided by law, purchase the same at the increased minimum price; *And provided, also*, That settlers under the provisions of the homestead law, who comply with the terms and requirements of this [said] act, shall be entitled to patents for an amount not exceeding eighty acres each, anything in this act to the contrary notwithstanding. (b)

Sections of land remaining to the United States not to be sold for less than double-minimum price.

To be first offered at public auction.

Bona-fide settlers under pre-emption laws.

Settlers under homestead law.

SEC. 4. *And be it further enacted*, That the said railroads shall be, and remain, public highways, so far as the same may be constructed under this act, for the use of the Government of the United States, free of all toll or other charges upon the transportation of any property or troops of the United States, and at the costs in all respects of said railroad companies; and the said roads are hereby required to be constructed within the term of five years from and after the first day of July, anno Domini eighteen hundred and sixty-six.

These railroads to be public highways, and free for the United States.

To be built in five years.

SEC. 5. *And be it further enacted*, That the lands hereby granted to said States of Missouri and Arkansas shall be disposed of by said States for the purposes aforesaid only, and in manner following, namely: Whenever the governor of either of said States shall certify to the Secretary of the Interior that any section of ten consecutive miles of either of said roads is completed in a good, substantial, and workmanlike manner, as a first-class railroad, and the said Secretary shall be satisfied that said State has complied in good faith with this requirement, the said Secretary of the Interior shall issue to the said State patents for all the lands granted and selected as aforesaid, not exceeding ten sections per mile, situated opposite to and within a limit of twenty miles of the line of said section of road thus completed, extending along the whole length of said completed section of ten miles of road, and no further. And when the governor of said State shall certify to the Secretary of the Interior, and the Secretary shall be satisfied that another section of said road, ten consecutive miles in extent, connecting with the preceding section or with some other first-class railroad which may be at the time in successful operation, is completed as aforesaid, the said Secretary of the Interior shall issue to the said State patents for all the lands granted and situated opposite to and within the limits of twenty miles of the line of said completed section of road or roads, and extending the length of said section, and no further, and not exceeding ten sections of land per mile for all that part of said road thus completed under the provisions of this act and the act to which this is an amendment, and so, from time to time, until said roads and branches are completed. And when the governor of said State shall so certify, and the Secretary of the Interior shall be satisfied that the whole of any one of said roads and branches is completed in a good, substantial, and workmanlike manner, as a first-class railroad, the said Secretary of the Interior shall issue to the said State patents to all the remaining lands granted for and on account of said completed road and branches in this act, situated within the said limits of twenty miles from the line thereof, throughout the entire length of said road and branches: *Provided*, That no land shall

Lands hereby granted, how to be disposed of.

When the governor shall certify that a section of ten consecutive miles is completed, &c.

That another section of ten consecutive miles, &c.

When the governor shall certify that other sections are completed.

That whole road is completed.

Lands not to be granted or conveyed to said States under the provisions of this act be granted on account of the construction of any railroad or part thereof that has been constructed under the provisions of any other act at the date of the passage of this act, and adopted as a part of the line of railroad provided for in this act: *And provided*, That nothing herein contained shall interfere with any existing rights acquired under any law of Congress heretofore enacted making grants of land to the said States of Missouri and Arkansas to aid in the construction of railroads: *And provided further*, That should said States or either of them fail to complete the roads herein recited within the time prescribed by this act, then the lands undisposed of, as aforesaid, within the States so failing shall revert to the United States.

Vested rights not affected. SEC. 6. *And be it further enacted*, That so soon as the governor of either of said States shall file or cause to be filed with the Secretary of the Interior maps designating the routes of said roads herein mentioned, then it shall be the duty of the Secretary of the Interior to withdraw from market the lands embraced within the provisions of this act. (a)

Lands when to revert to the United States. SEC. 7. *And be it further enacted*, That nothing contained in this act shall be held as vesting in the State of Arkansas title to the lands herein recited for the trust purpose aforesaid, or authorizing said State to make any disposition of the same, until said State shall be restored in all respects to its former relation to the national Government and be represented in the Congress of the United States.

When maps are filed, lands to be withdrawn from market.

Arkansas to have no title to or power over the granted lands until restored to former relations.

(a) See Nos. 1083, 1086, 1088, 1111, 1112, 1113, 1121, 1122, 1125, 1131, 1132, 1133, 1134, 1136, 1152.

(b) See Nos. 729, 981, 983, 997, 1007, 1009, 1010, 1020, 1028, 1083, 1086, 1096, 1110, 1115, 1121, 1135.

July 27, 1866.
Vol. 14, p. 292.

No. 1121.—AN ACT granting lands to aid in the construction of a railroad and telegraph line from the States of Missouri and Arkansas to the Pacific coast.

Atlantic and Pacific Railroad Company incorporated.
Corporators.

Be it enacted, &c., That John B. Brown, Anson P. Morrill, Samuel F. Hersey, William G. Crosby, Samuel E. Spring, Samuel P. Dinsmore, of Maine; N. S. Upham, Frederick Smyth, Onslow Stearns, S. G. Griffin, William E. Chandler, of New Hampshire; T. W. Parke, H. H. Baxter, John Gregory Smith, A. P. Lyman, of Vermont; Walter S. Burges, William S. Slater, Stephen Harris, Thomas P. Shepard, of Rhode Island; William Merritt, Alexander H. Bullock, George L. Stearns, Genery Twitchell, Charles H. Warren, Chester W. Chapin, of Massachusetts; John Boyd, Robert C. Wetmore, John T. Wait, Cyrus Northrop, of Connecticut; Solon Humphreys, J. Bigler, Homer Ramsdell, Isaac H. Knox, John A. C. Gray, Daniel L. Ross, A. V. Stout, M. K. Jessup, R. E. Fenton, E. L. Fancher, J. C. Fremont, James Hoy, Jesse M. Bolles, Edward Gilbert, James P. Robinson, Oliver C. Billings, of New York; Charles Bachelor, John Edgar Thompson, Morton McMichael, T. Haskins Du Puy, Thomas A. Scott, Charles Rickettson, William Lyon, George W. Cass, Levi Parsons, of Pennsylvania; Charles Knap, J. L. N. Stratton, James B. Dayton, Robert F. Stockton, Alexander G. Cattell, A. W. Markley, of New Jersey; John W. Garrett, Charles J. M. Gwinn, Robert Fowler, Jacob Tome, Thomas M. Lanahan, of Maryland; Charles J. Dupont, Henry Ridgley, Andrew C. Gray, Nat. Smythers, of Delaware; Bellamy Storer, George B. Senter, William Baker, Samuel Galloway, David Tod, Charles Anderson, Bird B. Chapman, Edward Sturgis, Israel Dille, of Ohio; Edwin Peck, William D. Griswold, James P. Luse, Samuel E. Perkins, Conrad Baker, of Indiana; Richard J. Oglesby, N. B. Judd, Samuel A. Buckmaster, D. L. Phillips, L. P. Sanger, of Illinois; Eber B. Ward, Omar D. Conger, Nathaniel W. Brooks, Alexander H. Morrison, of Michigan; Z. G. Simmons, Alexander Mitchell, J. J. Williams, G. A. Thompson, J. J. R. Pease, John H. Hersey, of Wisconsin; Henry A. Smith, Sherman Finch, William Mitchell, R. F. Crowell, L. F. Hubbard, E. F. Drake, of Minnesota; Lyman Cook, Platt Smith, Jacob Butler, Henry I. Reid, Hoyt Sherman, of Iowa; William G. Brownlow, of Tennessee; Thomas C. Fletcher, B. R. Bonner, John M. Richardson, Emil Pretorius, E. W. Fox, R. J. McElbeny, Charles H. Howland, Madison Miller, George W. Fishback, T. J. Hubbard, George Knapp, Charles K. Dickson, A. G. Braun, G. L. Hewitt, P. A. Thompson, James W. Thomas, Charles E. Moss, Edward Walsh, A. R. Easton, Truman J. Horner, J. B. Eads, D. R. Garrison, W. A. Kayser, George P. Robinson, of Missouri; Thomas E. Bramlette, Benjamin Gratz, C. E. Warren, Lazarus W. Powell, John Mason Brown, Joshua Speed, of Kentucky; Solon

Thatcher, Jacob Stotter, William B. Edwards, James G. Blunt, Robert McBratney, of Kansas; Harrison Hagans, James Cook, Robert Crangle, Benjamin H. Smith, of West Virginia; Lorenzo Sherwood, A. J. Hamilton, of Texas; William Gilpin, Henry C. Leach, of Colorado; Phinneas Banning, Timothy G. Phelps, William B. Carr, Edward F. Beale, Fred. F. Lowe, Benj. B. Redding, B. W. Hathaway, Leonidas Haskell, Frederick Billings, of California; W. S. Ladd, J. R. Moores, Walter Monteith, John Kelly, B. F. Dowell, of Oregon; James L. Johnson, Henry Connelly, Francis Perea, of New Mexico; J. H. Mills, A. P. K. Safford, E. S. Davis, of Nevada; King S. Woolsey, William H. Hardy, Coles Bashford, of Arizona; Henry D. Cooke, of the District of Columbia; and all such other persons who shall or may be associated with them, and their successors, are hereby created and erected into a body corporate and politic, in deed and in law, by the name, style, and title of the "Atlantic and Pacific Railroad Company," and by that name shall have perpetual succession, and shall be able to sue and be sued, plead and be impleaded, defend and be defended, in all courts of law and equity within the United States, and may make and have a common seal. And said corporation is hereby authorized and empowered to lay out, locate, and construct, furnish, maintain, and enjoy, a continuous railroad and telegraph line, with the appurtenances, namely: Beginning at or near the town of Springfield, in the State of Missouri, thence to the western boundary line of said State, and thence by the most eligible railroad route as shall be determined by said company to a point on the Canadian River, thence to the town of Albuquerque, on the river Del Norte, and thence, by way of the Agua Frio, or other suitable pass, to the headwaters of the Colorado Chiquito, and thence, along the thirty-fifth parallel of latitude, as near as may be found most suitable for a railway route, to the Colorado River, at such point as may be selected by said company for crossing; thence by the most practicable and eligible route, to the Pacific. The said company shall have the right to construct a branch from the point at which the road strikes the Canadian River eastwardly, along the most suitable route as selected, to a point in the western boundary line of Arkansas, at or near the town of Van Buren. And the said company is hereby vested with all the powers, privileges, and immunities necessary to carry into effect the purposes of this act, as herein set forth. The capital stock of said company shall consist of one million shares of one hundred dollars each, which shall in all respects be deemed personal property, and shall be transferable in such manner as the laws of said corporation shall provide. The persons hereinbefore named are hereby appointed commissioners, and shall be called the board of commissioners of the "Atlantic and Pacific Railroad Company," and fifteen shall constitute a quorum for the transaction of business. The first meeting of said board of commissioners shall be held at the Turner hall, in the city of Saint Louis, on the first day of October, anno Domini eighteen hundred and sixty-six, or at such time within three months thereafter as any ten commissioners herein named from Missouri shall appoint, notice of which shall be given by them to the other commissioners by publishing said notice in at least one daily newspaper in the cities of Boston, New York, Cincinnati, Saint Louis, Memphis, and Nashville, once a week for at least four weeks previous to the day of meeting. Said board shall organize by the choice from its number of a president, vice-president, secretary, and treasurer, and they shall require from said treasurer such bonds as may be deemed proper, and may from time to time increase the amount thereof, as they may deem proper. The secretary shall be sworn to the faithful performance of his duties, and such oath shall be entered upon the records of the company, signed by him, and the oath verified thereon. The president and secretary of said boards shall, in like manner, call all other meetings, naming the time and place thereof. It shall be the duty of said board of commissioners to open books, or cause books to be opened, at such times and in such principal cities or other places in the United States as they or a quorum of them shall determine, within twelve months after the passage of this act, to receive subscriptions to the capital stock of said corporation, and a cash payment of ten per centum on all subscriptions, and to receipt therefor. So soon as ten thousand shares shall in good faith be subscribed for, and ten dollars per share actually paid into the treasury of the company, the said president and secretary of said board of commissioners shall appoint a time and place for the first meeting of the subscribers to the stock of said company,

Name of corporation, &c.

Seal.

Corporation may locate and construct railroad and telegraph line.

Termini and route.

Branch eastwardly to near Van Buren, Arkansas.

Powers and privileges.

Capital stock.

Persons before named appointed board of commissioners.

Quorum.

First meeting of commissioners.

Notice.

Organization of board and officers.

Treasurer to give bonds.

Secretary to be sworn.

Other meetings, how called.

Commissioners to open books for subscriptions to stock.

When and how first meeting of subscribers to stock to be called.

Directors.
Each share to
have a vote.

Inspectors of
election.

Commissioners
to deliver to the
directors all mon-
ey, books, &c.,
and their duties
to cease.

Annual meet-
ings of corpora-
tion.

Right of way
granted through
public lands for
construction of
railroad and tele-
graph.

Materials for
construction.

Extent of grant
of right of way.

Right of way
exempt from tax-
ation.

Indian title to
be extinguished.

Public lands
granted to the
corporation to aid
in the construc-
tion of railroad
and telegraph.

If any of grant-
ed lands have
been sold, or re-
served, &c., other
lands may be se-
lected in lieu
thereof.

If route is
found to be upon
the line of any
other road to
which lands have
been granted,
amount of former
grant to be de-
ducted.

Road having
previous grant
may assign to, or
unite with, this
company.

and shall give notice thereof in at least one newspaper in each State in which subscription books have been opened, at least fifteen days previous to the day of meeting, and such subscribers as shall attend the meeting so called, either in person or by lawful proxy, then and there shall elect, by ballot, thirteen directors for said corporation; and in such election each share of said capital stock shall entitle the owner thereof to one vote. The president and secretary of the board of commissioners, and in case of their absence or inability any two of the officers of said board, shall act as inspectors of said election, and shall certify, under their hands, the names of the directors elected at said meeting. And the said commissioners, treasurer, and secretary shall then deliver over to said directors all the moneys, properties, subscription books, and other books in their possession, and thereupon the duties of said commissioners and the officers previously appointed by them shall cease and determine forever, and thereafter the stockholders shall constitute said body politic and corporate. Annual meetings of the stockholders of the said corporation for the choice of officers, (when they are to be chosen,) and for the transaction of business, shall be holden at such time and place and upon such notice as may be prescribed in the by-laws.

SEC. 2. *And be it further enacted*, That the right of way through the public lands be, and the same is hereby, granted to the said Atlantic and Pacific Railroad Company, its successors and assigns, for the construction of a railroad and telegraph as proposed; and the right, power, and authority is hereby given to said corporation to take from the public lands adjacent to the line of said road material of earth, stone, timber, and so forth, for the construction thereof. Said way is granted to said railroad to the extent of one hundred feet in width on each side of said railroad where it may pass through the public domain, including all necessary grounds for station-buildings, workshops, depots, machine-shops, switches, side-tracks, turn-tables, and water-stations; and the right of way shall be exempt from taxation within the Territories of the United States. The United States shall extinguish, as rapidly as may be consistent with public policy and the welfare of the Indians, and only by their voluntary cession, the Indian title to all lands falling under the operation of this act and acquired in the donation to the road named in the act.

SEC. 3. *And be it further enacted*, That there be, and hereby is, granted to the Atlantic and Pacific Railroad Company, its successors and assigns, for the purpose of aiding in the construction of said railroad and telegraph line to the Pacific coast, and to secure the safe and speedy transportation of the mails, troops, munitions of war, and public stores, over the route of said line of railway and its branches, every alternate section of public land, not mineral, designated by odd numbers, to the amount of twenty alternate sections per mile, on each side of said railroad line, as said company may adopt, through the Territories of the United States, and ten alternate sections of land per mile on each side of said railroad whenever it passes through any State, and whenever, on the line thereof, the United States have full title, not reserved, sold, granted, or otherwise appropriated, and free from pre-emption or other claims or rights, at the time the line of said road is designated by a plat thereof, filed in the office of the Commissioner of the General Land Office; and whenever, prior to said time, any of said sections or parts of sections shall have been granted, sold, reserved, occupied by homestead settlers, or pre-empted, or otherwise disposed of, other lands shall be selected by said company in lieu thereof, under the direction of the Secretary of the Interior, in alternate sections, and designated by odd numbers, not more than ten miles beyond the limits of said alternate sections, and not including the reserved numbers: *Provided*, That if said route shall be found upon the line of any other railroad route, to aid in the construction of which lands have been heretofore granted by the United States, as far as the routes are upon the same general line, the amount of land heretofore granted shall be deducted from the amount granted by this act: *Provided further*, That the railroad company receiving the previous grant of land may assign their interest to said "Atlantic and Pacific Railroad Company," or may consolidate, confederate, and associate with said company upon the terms named in the first and seventeenth sections of this act: *Provided further*, That all mineral lands be, and the same are hereby, excluded from the operations of this act, and in lieu thereof a like quantity of unoccupied and unappropri-

ated agricultural lands in odd-numbered sections nearest to the line of said road, and within twenty miles thereof, may be selected as above provided: *And provided further*, That the word "mineral," when it occurs in this act, shall not be held to include iron or coal: *And provided further*, That no money shall be drawn from the Treasury of the United States to aid in the construction of the said "Atlantic and Pacific Railroad."

SEC. 4. *And be it further enacted*, That whenever said Atlantic and Pacific Railroad Company shall have twenty-five consecutive miles of any portion of said railroad and telegraph line ready for the service contemplated, the President of the United States shall appoint three commissioners to examine the same, who shall be paid a reasonable compensation for their services by the company, to be determined by the Secretary of the Interior; and if it shall appear that twenty-five consecutive miles of said road and telegraph line have been completed in a good, substantial and workmanlike manner, as in all other respects required by this act, the commissioners shall so report under oath, to the President of the United States, and patents of lands, as aforesaid, shall be issued to said company, confirming to said company the right and title to said lands situated opposite to and coterminous with said completed section of said road. And from time to time, whenever twenty-five additional consecutive miles shall have been constructed, completed, and in readiness as aforesaid, and verified by said commissioners to the President of the United States, then patents shall be issued to said company conveying the additional sections of land as aforesaid, and so on as fast as every twenty-five miles of said road is completed as aforesaid.

SEC. 5. *And be it further enacted*, That said Atlantic and Pacific Railroad shall be constructed in a substantial and workmanlike manner, with all the necessary draws, culverts, bridges, viaducts, crossings, turn-outs, stations, and watering places, and all other appurtenances, including furniture and rolling stock, equal in all respects to railroads of the first class when prepared for business, with rails of the best quality, manufactured from American iron. And a uniform gauge shall be established throughout the entire length of the road. And there shall be constructed a telegraph line, of the most substantial and approved description, to be operated along the entire line: *Provided*, That the said company shall not charge the Government higher rates than they do individuals for like transportation and telegraphic service. And it shall be the duty of the Atlantic and Pacific Railroad Company to permit any other railroad which shall be authorized to be built by the United States, or by the legislature of any Territory or State in which the same may be situated, to form running connections with it, on fair and equitable terms. (a)

SEC. 6. *And be it further enacted*, That the President of the United States shall cause the lands to be surveyed for forty miles in width on both sides of the entire line of said road after the general route shall be fixed, and as fast as may be required by the construction of said railroad, (b) and the odd sections of land hereby granted shall not be liable to sale or entry, or pre-emption, before or after they are surveyed, except by said company, as provided in this act; but the provisions of the act of September, eighteen hundred and forty-one, granting pre-emption rights, and the acts amendatory thereof, and of the act entitled "An act to secure homesteads to actual settlers on the public domain," approved May twenty, eighteen hundred and sixty-two, shall be, and the same are hereby, extended to all other lands on the line of said road when surveyed, excepting those hereby granted to said company. (c)

SEC. 7. *And be it further enacted*, That the said Atlantic and Pacific Railroad Company be, and is hereby, authorized and empowered to enter upon, purchase, take, and hold any lands or premises that may be necessary and proper for the construction and working of said road, not exceeding in width one hundred feet on each side of the line of its railroad, unless a greater width be required for the purpose of excavation or embankment; and also any lands or premises that may be necessary and proper for turn-outs, standing places for cars, depots, station-houses, or any other structures required in the construction and working of said road. And the said company shall have the right to cut and remove trees and other material that might, by falling, encumber its road-bed, though standing or being more than two hundred feet from

Mineral lands excluded from operation of this act.

The word "mineral" not to include "iron or coal."

No money to be drawn from Treasury to aid in construction of this road.

Upon report of commissioners under oath that twenty-five consecutive miles are completed, patents for coterminous lands to issue to company.

And so as to any other twenty-five consecutive miles.

Railroad how to be constructed.

Rails.
Gauge.

Telegraph line.
Rates for service.

Other railroads may form running connections with it.

Lands on both sides of line of route of railroad.

Odd sections not liable to sale, or entry, or pre-emption.

Provisions of pre-emption and homestead acts extended to lands on line of road.

Company may take any land necessary for working of road.
Width.

Lands for stations, &c.

Trees.

Damages, how to be determined. the line of said road. And in case the owner of such lands or premises and the said company cannot agree as to the value of the premises taken, or to be taken, for the use of said road, the value thereof shall be determined by the appraisal of three disinterested commissioners, who may be appointed upon application by either party to any court of record in any of the Territories in which the lands or premises to be taken lie; and said commissioners, in their assessment of damages, shall appraise such premises at what would have been the value thereof if the road had not been built. And upon return into court of such appraisal, and upon the payment into the same of the estimated value of the premises taken for the use and benefit of the owner thereof, said premises shall be deemed to be taken by said company, which shall thereby acquire full title to the same for the purposes aforesaid.

When lands are to be deemed taken by the company. And either party feeling aggrieved at said appraisal may, within thirty days after the same has been returned into court, file an appeal therefrom, and demand a jury of twelve men to estimate the damage sustained; but such appeal shall not interfere with the rights of said company to enter upon the premises taken, or to do any act necessary and proper in the construction of its road. And said party appealing shall give bonds, with sufficient surety or sureties, for the payment of any cost that may arise upon such appeal; and in case the party appealing does not obtain a verdict more favorable, such party shall pay the whole cost incurred by the appellee, as well as his own, and the payment into court, for the use of the owner of said premises taken, at a sum equal to that finally awarded, shall be held to vest in said company the title of said land, and the right to use and occupy the same for the construction, maintenance, and operation of said road. And in case any of the lands to be taken as aforesaid shall be held by an infant, femme covert, non compos, insane person, or persons residing without the Territory within which the lands to be taken lie, or persons subjected to any legal disability, the court may appoint a guardian, for any party under any disqualification, to appear in proper person, who shall give bonds, with sufficient surety or sureties, for the proper and faithful execution of his trust, and who may represent in court the person disqualified, as aforesaid, from appearing, when the same proceedings shall be had in reference to the appraisal of the premises to be taken for the use of said company, and with the same effect as has been already described; and the title of the company to the lands taken by virtue of this act shall not be affected or impaired by reason of any failure by any guardian to discharge faithfully his trust. And in case any party shall have a right or claim to any land for a term of years, or any interest therein, in possession, reversion, or remainder, the value of any such estate, less than a fee-simple, shall be estimated and determined in the manner hereinbefore set forth. And in case it shall be necessary for the company to enter upon any lands which are unoccupied, and of which there is no apparent owner or claimant, it may proceed to take and use the same for the purposes of said railroad, and may institute proceedings, in manner described, for the purpose of ascertaining the value of, and of acquiring a title to, the same; but the judge of the court hearing said suit shall determine the kinds of notice to be served on such owner or owners, and he may in his discretion appoint an agent or guardian to represent such owner or owners in case of his or their incapacity or non-appearance. But in case no claimant shall appear within six years from the time of the opening of said road across any land, all claims to damages against said company shall be barred.

Appellant to give bonds.

Costs.

Payment into court of a sum equal to final award to vest title of land in company.

Proceedings where lands taken are held by persons under disability.

Proceedings where the interest in the land is for a term of years, &c.

Where lands are unoccupied and without apparent owner.

Rights and privileges of this act are granted and accepted, upon conditions, &c.

Work, when to be commenced and when completed.

If conditions are broken and continue so one year, the United States may complete the road.

SEC. 8. *And be it further enacted,* That each and every grant, right, and privilege herein are so made and given to and accepted by said Atlantic and Pacific Railroad Company, upon and subject to the following conditions, namely: That the said company shall commence the work on said road within two years from the approval of this act by the President, and shall complete not less than fifty miles per year after the second year, and shall construct, equip, furnish, and complete the main line of the whole road by the fourth day of July, anno Domini eighteen hundred seventy-eight.

SEC. 9. *And be it further enacted,* That the United States make the several conditional grants herein, and that the said Atlantic and Pacific Railroad Company accept the same, upon the further condition that if the said company make any breach of the conditions hereof, and allow the same to continue for upwards of one year, then, in such case, at any

time hereafter, the United States may do any and all acts and things which may be needful and necessary to insure a speedy completion of the said road.

SEC. 10. *And be it further enacted*, That all people of the United States shall have the right to subscribe to the stock of the Atlantic and Pacific Railroad Company until the whole capital named in this act of incorporation is taken up by complying with the terms of subscription. Who may subscribe to stock.

SEC. 11. *And be it further enacted*, That said Atlantic and Pacific Railroad, or any part thereof, shall be a post route and military road, subject to the use of the United States for postal, military, naval, and all other Government service, and also subject to such regulations as Congress may impose restricting the charges for such Government transportation. Railroad to be a post route and military road.
Charges for Government transportation.

SEC. 12. *And be it further enacted*, That the acceptance of the terms, conditions, and impositions of this act by the said Atlantic and Pacific Railroad Company shall be signified in writing under the corporate seal of said company, duly executed pursuant to the direction of its board of directors first had and obtained, which acceptance shall be made within two years after the passage of this act, and not afterwards, and shall be deposited in the office of the Secretary of the Interior. Acceptance of these conditions by company to be in writing, and within two years.

SEC. 13. *And be it further enacted*, That the directors of said company shall make and publish an annual report of their proceedings and expenditures, verified by the affidavits of the president and at least six of the directors, a copy of which shall be deposited in the office of said Secretary of the Interior, and they shall, from time to time, fix, determine, and regulate the fares, tolls, and charges to be received and paid for transportation of persons and property on said road, or any part thereof. Annual report.
Rates of fare, tolls, &c.

SEC. 14. *And be it further enacted*, That the directors chosen in pursuance of the first section of this act shall, so soon as may be after their election, elect from their own number a president and vice-president; and said board of directors shall, from time to time, and so soon as may be after their election, choose a treasurer and secretary, who shall hold their offices at the will and pleasure of the board of directors. The treasurer and secretary shall give such bonds, with such security as the said board from time to time may require. The secretary shall, before entering upon his duty, be sworn to the faithful discharge thereof, and said oath shall be made a matter of record upon the books of said corporation. No person shall be a director of said company unless he shall be a stockholder, and qualified to vote for directors at the election at which he shall be chosen. President and vice-president.
Treasurer and secretary.
Bonds.
Secretary to be sworn.
Who may not be a director.

SEC. 15. *And be it further enacted*, That the president, vice-president, and directors shall hold their offices for the period indicated in the by-laws of said company, not exceeding three years, respectively, and until others are chosen in their place, and qualified. In case it shall so happen that an election of directors shall not be made on any day appointed by the by-laws of said company, the corporation shall not for that excuse be deemed to be dissolved, but such election may be holden on any day which shall be appointed by the directors. The directors, of whom seven, including the president, shall be a quorum for the transaction of business, shall have full power to make and prescribe such by-laws, rules and regulations as they shall deem needful and proper touching the disposition and management of the stock, property, estate, and effects of the company, the transfer of shares, the duties and conduct of their officers and servants touching the election and meeting of the directors, and all matters whatsoever which may appertain to the concerns of said company; and the said board of directors may have full power to fill any vacancy or vacancies that may occur from any cause or causes from time to time in their said board. And the said board of directors shall have power to appoint such engineers, agents, and subordinates as may from time to time be necessary to carry into effect the object of the company, and to do all acts and things touching the location and construction of said road. Term of office of president, vice-president and directors.
If directors are not elected on day appointed by by-laws.
Powers of directors.
Quorum.
By-laws.
Vacancies.
Engineers, agents, &c.

SEC. 16. *And be it further enacted*, That it shall be lawful for the directors of said company to require payment of the sum of ten per centum cash assessment upon all subscriptions received of all subscribers, and the balance thereof at such times and in such proportions and on such conditions as they shall deem to be necessary to complete the said road and telegraph lines within the time in this act prescribed. Ten per cent. of subscriptions to be paid in cash.
Balance, when to be paid.

Notice when payments are due. Sixty days' previous notice shall be given of the payments required, and of the time and place of payment, by publishing a notice once a week in one daily newspaper in each of the cities of Boston, New York, Cincinnati, Saint Louis, Memphis, and Nashville, and in case any stockholder shall neglect or refuse to pay, in pursuance of such notice, the stock held by such person shall be forfeited absolutely to the use of the company, and also any payment or payments that shall have been made on account thereof, subject to the condition that the board of directors may allow the redemption on such terms as they may prescribe.

If stockholders neglect to pay, stock and previous payments forfeited.

Redemption.

Company may accept and hold any grant, loan, aid, &c. SEC. 17. *And be it further enacted*, That the said company is authorized to accept to its own use any grant, donation, loan, power, franchise, aid, or assistance which may be granted to or conferred on said company by the Congress of the United States, by the legislature of any State, or by any corporation, person, or persons, or by any Indian tribe or nation through whose reservation the road herein provided for may pass; and said corporation is authorized to hold and enjoy any such grant, donation, loan, power, franchise, aid, or assistance, to its own use, for the purpose aforesaid: *Provided*, That any such grant or donation, power, aid, or assistance from any Indian tribe or nation shall be subject to the approval of the President of the United States.

Grant from any Indian tribe to be subject to the approval of the President of the United States. SEC. 18. *And be it further enacted*, That the Southern Pacific Railroad, a company incorporated under the laws of the State of California, is hereby authorized to connect with the said Atlantic and Pacific Railroad, formed under this act, at such point, near the boundary line of the State of California, as they shall deem most suitable for a railroad line to San Francisco, and shall have a uniform gauge and rate of freight or fare with said road; and in consideration thereof, to aid in its construction, shall have similar grants of land, subject to all the conditions and limitations herein provided, and shall be required to construct its road on the like regulations, as to time and manner, with the Atlantic and Pacific Railroad herein provided for.

Southern Pacific Railroad Company may connect with the Atlantic and Pacific road.

Point of connection.

Gauge and rates of fare.

May have similar grants of land on like terms.

This act to be void, unless, &c. SEC. 19. *And be it further enacted*, That unless the said Atlantic and Pacific Railroad Company shall obtain bona-fide subscriptions to the stock of said company to the amount of one million of dollars, with ten per centum paid, within two years after the passage of and approval of this act, it shall be null and void.

Act may be altered or repealed. SEC. 20. *And be it further enacted*, That the better to accomplish the object of this act, namely, to promote the public interest and welfare by the construction of said railroad and telegraph line, and keeping the same in working order, and to secure to the Government at all times, but particularly in time of war, the use and benefits of the same for postal, military, and other purposes, Congress may, at any time, having due regard for the rights of said Atlantic and Pacific Railroad Company, add to, alter, amend or repeal this act.

When in grants to corporations the United States reserves the right to appoint directors, or agents, &c., all costs, pay, &c., of such persons are to be borne by the corporations. SEC. 21. *And be it further enacted*, That whenever in any grant of land or other subsidies, made or hereafter to be made, to railroads or other corporations, the United States has reserved the right, or shall reserve it, to appoint directors, engineers, commissioners or other agents to examine said roads, or act in conjunction with other officers of said company or companies, all the costs, charges, and pay of said directors, engineers, commissioners, or agents, shall be paid by the respective companies. Said directors, engineers, commissioners, or agents shall be paid for said services the sum of ten dollars per day, for each and every day actually and necessarily employed, and ten cents per mile for each and every mile actually and necessarily travelled, in discharging the duties required of them, which per diem and mileage shall be in full compensation for said services. And in case any company shall refuse or neglect to make such payments, no more patents for lands or other subsidies shall be issued to said company until these requirements are complied with. (a)

Rate of pay to such persons.

If company neglects to make such payments, no more patents for lands, &c., to issue.

(a) (See Nos. 1083, 1086, 1088, 1111, 1112, 1113, 1120, 1122, 1125, 1131, 1132, 1133, 1134, 1136, 1152.

(b) See Nos. 340, 344, 972, 979.

(c) See Nos. 729, 981, 983, 997, 1007, 1009, 1010, 1020, 1022, 1083, 1086, 1096, 1110, 1115, 1120, 1135.

No. 1122.—AN ACT to revive and extend the provisions of "An act granting the right of way and making a grant of land to the States of Arkansas and Missouri, to aid in the construction of a railroad from a point upon the Mississippi opposite the mouth of the Ohio River, via Little Rock, to the Texas boundary, near Fulton, in Arkansas, with branches to Fort Smith and the Mississippi River," approved February 9, 1853, and for other purposes.

July 28, 1866.
Vol. 14, p. 338.

Be it enacted, &c., That the "Act granting the right of way and making a grant of land to the States of Arkansas and Missouri to aid in the construction of a railroad from a point upon the Mississippi opposite the mouth of the Ohio River, via Little Rock, to the Texas boundary, near Fulton, in Arkansas, with branches to Fort Smith and the Mississippi River," approved February nine, eighteen hundred and fifty-three, with all the provisions therein made, be, and the same is hereby, revived and extended for the term of ten years from the passage of this act; and all the lands therein granted, which reverted to the United States under the provisions of said act, be, and the same are hereby, restored to the same custody, control, and condition, and made subject to the uses and trusts in all respects as they were before and at the time such reversion took effect: *Provided*, That all mineral lands within the limits of this grant and the grant made in section two of this act are hereby reserved to the United States: *And provided further*, That all property and troops of the United States shall at all times be transported over said railroad and branches at the cost, charge, and expense of the company or corporation owning or operating said road and branches respectively, when so required by the Government of the United States.

The act granting right of way and lands to Arkansas and Missouri for railroad revived and extended for ten years.

Lands heretofore granted and reverted, to be restored to same custody and condition as at time reversion took place.

Mineral lands reserved.

Property and troops of the United States to be transported free of cost.

SEC. 2. *And be it further enacted*, That there is hereby granted, added to, and made part of the donation of lands hereby renewed and made, subject to the same uses and trusts, and under the same custody, control, and conditions, and to be held and disposed of in the same manner as if included in the original grant, all the alternate sections and parts of sections, designated by odd numbers, lying along the outer line of lands heretofore granted, and within five miles on each side thereof, excepting lands reserved or otherwise appropriated by law, or to which the right of pre-emption or homestead settlement has attached: *Provided*, That the additional quantity of lands hereby granted, when added to the lands specified in section one hereof, shall not exceed, in the aggregate quantity of lands by this act granted, sufficient to amount to ten sections for each mile of railroad: *And provided further*, That the lands embraced in this grant and the grant revived by section one of this act shall be disposed of only as follows: Whenever proof shall be furnished, satisfactory to the Secretary of the Interior, that any section of ten consecutive miles of said road and branches is completed in a good, substantial, and workmanlike manner as a first-class railroad, the said Secretary of the Interior shall issue patents for all the lands granted as aforesaid, not exceeding ten sections per mile situate opposite to and within the limits of twenty miles of the section of said road and branches thus completed, and when like proof shall be furnished that another section of ten miles of said road in said States or on the said branches respectively connecting with the preceding section is completed as aforesaid, the Secretary of the Interior shall issue patents in like manner as in case of the first-completed sections, and so on from time to time until the whole is completed as herein provided, when the Secretary of the Interior shall issue patents for all the remaining lands herein granted, not exceeding the aggregate amount provided for and located as required by sections one and two of this act: *And provided further*, That if one section of twenty miles of each of said railroads and branches shall not be fully constructed and completed as a first-class railroad within three years from the time this act becomes a law, and at least one section of twenty miles on each of said roads and branches in each year thereafter, and the whole of said roads and branches within ten years from the time this act shall take effect, then and in either of said cases all the lands granted or the grant of which is revived or extended by this act, and which at the time shall be unpatented to or for the benefit of the road or company making or suffering such failure, shall revert to the United States.

Additions to former grant for same uses and trusts.

Lands reserved or to which homestead or pre-emption rights have attached, excepted from grant.

Whole grant not to exceed ten sections a mile.

Lands, how only to be disposed of.

Sections of ten consecutive miles.

If twenty miles are not completed in three years, and at least twenty miles each year afterwards, and the whole in ten years, lands then unpatented to revert to the United States.

SEC. 3. *And be it further enacted*, That all the lands mentioned in this act, and hereby granted, are hereby reserved from entry, pre-emption, or appropriation to any other purpose than herein contemplated, for the said term of ten years from the passage of this act: *Provided*, That all lands heretofore given to the State of Missouri for the construction of the Cairo and Fulton Railroad, or for the use of said road lying in the

Lands hereby granted to be reserved from entry, pre-emption, &c.

Lands given to State of Missouri, and all lands proposed to be granted by this act Missouri for the use or in aid of the road herein named, and lying in said State of Cairo and Fulton Missouri, shall be granted and patented to the said State whenever the Railroad. road shall be completed through said State, which lands may be held

When to be patented to the by said State and used toward paying the State the amount of bonds State; may be heretofore issued by it to aid said company, and all interest accrued or held and used to- ward paying cer- to accrue thereon: *Provided further*, That the provisions of this act, so tain State bonds. far as the same relate to the Memphis and Little Rock and Little Rock

When this act takes effect as re- Secretary of the Interior shall make and file a certificate in his office lates to the Mem- and the office of the secretary of state of Arkansas, stating that the phis and Little companies or corporations claiming the benefit of this act in behalf of Rock and Little said branches have reorganized their boards of directors in a lawful Rock and Fort Smith branches of road. manner, and, after such reorganization, that they have respectively re- scinded all acts, resolutions, or other proceedings, transferring the lands rights, or privileges of such corporations or companies to any conven- tion, State, or authority recognizing or acting in concert with, or under the authority of the late so-called confederate States of America. (a)

(a) See Nos. 1083, 1086, 1088, 1111, 1112, 1113, 1120, 1121, 1125, 1131, 1132, 1133, 1134, 1136, 1152.

July 28, 1866.
Vol. 14, p. 606.

No. 1123.—AN ACT for the relief of Robert Baldwin.

Preamble.

Whereas, on the fifth day of December, eighteen hundred and forty-nine, Robert Baldwin located at the land office at Milan, in the State of Missouri, three military bounty-land warrants issued under the act of eighteen hundred and forty-seven, each for one hundred and sixty acres and numbered seven thousand eight hundred and forty-seven, twenty-six thousand eight hundred and one, and fifty thousand two hundred and sixty-three, upon the following-described public lands, to wit: The west half lot number one northwest quarter-section five: the east half lots number one and two northeast quarter-section six in town fifty-seven range sixteen: the southeast quarter southeast quarter, the west half northeast quarter, the east half northwest quarter, the west half southeast quarter, the northeast quarter southeast quarter, and the northeast quarter southwest quarter of section thirty-one town fifty-eight range sixteen, receiving from the register of said land office at Milan, duplicate certificates of location; and whereas the said military bounty-land warrants were lost from the mail in their transmission from said land office to Washington, and have not since been heard from: therefore,

Patents to issue to Robert Baldwin for lands in Missouri.

Be it enacted, &c., That the Secretary of the Interior be, and he is hereby, authorized and directed to cause patents for said lands to be issued to said Robert Baldwin, upon his surrendering to the Commissioner of the General Land Office the said duplicate certificates of location.

March 2, 1867.
Vol. 14, p. 544.

No. 1124.—AN ACT to extend the provisions of an act entitled "An act for the final adjustment of private land claims in the States of Florida, Louisiana, and Missouri, and for other purposes."

[See LOUISIANA, No. 961.]

June 25, 1868.
Vol. 15, p. 79.

No. 1125.—AN ACT relative to filing reports of railroad companies.

[Reports of certain railroads to be made on or before October 1, in each year, to Secretary of Interior. See NEBRASKA, No. 2107.]

July 4, 1868.
Vol. 15, p. 377.

No. 1126.—AN ACT for the relief of the owners of the land within the United States survey number three thousand two hundred and seventeen, in the State of Missouri.

Title of the United States to certain land in Missouri conveyed to Ann O. Camp and Antoine Reilhe.

Be it enacted, &c., That the United States do hereby release, grant, relinquish, convey, and confirm, in fee-simple and in full property, to the legal representatives of Ann O. Camp and Antoine Reilhe all of the right, title, and interest of the United States in and to all of the land within United States survey number three thousand two hundred and seventeen, in townships forty-four and forty-five, north of the base line in ranges six and seven, east of the fifth principal meridian line, in the

State of Missouri, being the same land that was surveyed by the United States for Madame Camp and Antoine Reilhe's representatives, containing two thousand nine hundred and five arpens and fifty-six perches and forty feet, which is equal to two thousand four hundred and seventy-one acres and seventy-six hundredths of an acre: *Provided, however,* That nothing in this act shall in any manner abridge, divest, impair, injure, or prejudice any adverse right, title, or interest of any person or persons in or to any portion or part of the aforesaid land, which is released, granted, relinquished, conveyed, and confirmed by this act. Adverse rights not affected.

No. 1127.—AN ACT authorizing the construction of a bridge across the Missouri River, upon the military reservation at Fort Leavenworth, Kansas.
[See KANSAS, No. 2029.]

July 20, 1868.
Vol. 15, p. 121.

No. 1128.—AN ACT providing for the sale of the arsenal grounds at Saint Louis and Liberty, Missouri, and for other purposes.

July 25, 1868.
Vol. 15, p. 187.

Be it enacted, That the Secretary of War be, and he is hereby, authorized to sell, at such time and in such manner as he may deem most advantageous to the interest of the Government, subject to the provisions hereinafter contained, the following military reservations and public property, namely:

Arsenals at Saint Louis and Liberty, Missouri, and other property, may be sold.

The ground now occupied by the Saint Louis arsenal, in the city of Saint Louis, Missouri, except the westernmost six acres thereof, and that occupied by the United States arsenal situated at Liberty, Missouri, together with such buildings, machinery, and other property appertaining thereto as cannot be advantageously employed in the construction or improvement of other arsenals or military posts.

SEC. 2. *And be it further enacted,* That the ground occupied by the Saint Louis arsenal, except the westernmost six acres thereof, shall be divided into lots and blocks of convenient size for building purposes, with public streets, conforming, as near as may be without detriment to the interest of the Government in the sale, to the public streets of the city of Saint Louis adjoining said grounds; a plat of this division, made in accordance with the laws of the State of Missouri, shall be filed with the proper officer in the city of Saint Louis; and the said lots shall be sold separately, at public auction, to the highest bidder, after thirty days' notice by advertisement in at least three daily papers in the city of Saint Louis; payment to be made one-third in cash, the remainder in one and two years, with six per cent. interest per annum, secured by deed of trust on the lots sold. The stone wall surrounding said arsenal shall be sold in sections not exceeding one hundred feet in length. (a)

Ground occupied by Saint Louis arsenal, except, &c., to be divided into lots, and sold at auction.

Mode of payment.
Stone wall, how to be sold.

SEC. 3. *And be it further enacted,* That the westernmost six acres of the tract of ground occupied by the said Saint Louis arsenal is hereby granted to the city of Saint Louis, to be by it held as a public ground forever, open to the use of the public as a place of public resort, and for no other use whatever, and without any power in said city to make any disposition of the same, or any part thereof, for any private use whatever: *Provided, however,* That this grant is upon the express condition that the said city or the association formed and now existing in the State of Missouri, for the purpose of erecting a monument to the memory of the late Brigadier-General Nathaniel Lyon, shall, within three years after the passage of this act, complete the erection upon the said six acres of such a monument, upon a plan and of a character to be approved by the President of the United States; in default whereof this grant shall be null and void.

Westernmost six acres granted to the city of Saint Louis as a public ground.

Proviso.

Monument to General Lyon to be erected thereon in three years.

SEC. 4. *And be it further enacted,* That the grounds occupied by the Liberty arsenal shall be sold at public auction, after due notice by public advertisement of the time and place of said sale, in such parcels, blocks and lots as may be deemed most advantageous to the interest of the Government, by the Secretary of War, upon the terms and conditions as to payment specified in the previous section.

Grounds of Liberty arsenal to be sold at auction.

SEC. 5. *And be it further enacted,* That all proceeds of the sale of all property provided for in this act shall be paid into the Treasury of the United States: *Provided,* That the machinery, ordnance stores, and arms that the Government desires to reserve from sale, shall be stored at any arsenal now established or to be established by law.

Proceeds of sales.
Machinery, &c., removed, to be stored.

March 3, 1869.
Vol. 15, p. 339.

No. 1129.—AN ACT amendatory of the act providing for the sale of the arsenal grounds at St. Louis and Liberty, Missouri, and for other purposes, approved July twenty-five, eighteen hundred and sixty-eight.

Six acres of the arsenal grounds at St. Louis, to be designated by the Secretary of War, to be granted to the city of Saint Louis, in lieu of former grants.

Time limited for erection of monument, when to commence to run.

Selection not to be made east of, &c.

Be it enacted, &c., That so much of the third section of the act providing for the sale of the arsenal grounds at Saint Louis and Liberty, Missouri, and for other purposes, approved July twenty-five, eighteen hundred and sixty-eight, as grants to the city of Saint Louis, the westernmost six acres of the tract of ground occupied by the Saint Louis arsenal, be, and the same is hereby, repealed, so far as it designates the part of said tract so granted; and in lieu of said westernmost six acres there shall be granted to said city, for the purposes and upon the conditions expressed in said act, other six acres of said tract, to be designated by the Secretary of War; and that the period limited in said act for the erection of the monument therein contemplated to be erected shall be considered as commencing at the time when the Secretary of War shall have designated the six acres of said tract to be granted to said city: *Provided, however,* That no part of the said six acres, shall be selected east of the western line of the ground occupied by the Saint Louis and Iron Mountain Railroad. (a)

(a) See Nos. 1109, 1128.

March 3, 1869.
Vol. 15, p. 458.

No. 1130.—AN ACT to confirm certain private land claims in the State of Missouri.

Private land claims of representatives of Gabriel Cerre and Sophia Bolaye in Missouri, confirmed. Adverse rights not affected.

Be it enacted, &c. That the claims of the legal representatives of Gabriel Cerre and Sophia Bolaye, falling within the exterior boundaries of the commons of Carondelet, the former entered as number sixty, for four hundred arpens, and the latter as number two hundred and seventy-nine, for one hundred and fifty arpens, in the first class of decisions of the board of land commissioners under the acts of Congress approved ninth July, eighteen hundred and thirty-two, and second March, eighteen hundred and thirty-three, for the adjustment of private land claims in Missouri, as recommended by said board (H. Ex. Doc. 59, 1st session 24th Congress, p. 187, and S. Doc. 16, same session, page 40,) which claims were confirmed by the act of Congress approved fourth July, eighteen hundred and thirty-six, subject to location elsewhere than in place in case of conflict, (Stat. L., vol. 5, page 126,) be, and the same are hereby, confirmed in place, subject to any valid adverse rights, if such exist, and patents for said claims shall be issued accordingly.

March 3, 1869.
Vol. 15, p. 349.

No. 1131.—A RESOLUTION extending the time for the completion of the first twenty miles of the Cairo and Fulton Railroad.

Time for completing first section of the Cairo and Fulton Railroad extended.

Resolved, &c., That in case the Cairo and Fulton Railroad Company shall complete the first section of twenty miles of said road by the twenty-eighth day of April, eighteen hundred and seventy, and the Secretary of the Interior shall be satisfied of such completion, then the said company shall be entitled to its lands in all respects and to the same extent as it would have been had said twenty miles been completed by the twenty-eighth of July, eighteen hundred and sixty-nine, as provided by law relating to said railroad company approved July twenty-eighth, eighteen hundred and sixty-six. (a)

(a) See Nos. 1083, 1086, 1088, 1111, 1112, 1113, 1120, 1121, 1122, 1125, 1132, 1133, 1134, 1136, 1152.

April 10, 1869.
Vol. 16, p. 46.

No. 1132.—AN ACT to extend the time for the Little Rock and Fort Smith Railroad Company to complete the first section of twenty miles of said road.

Time for Little Rock and Fort Smith R. R. Co. building first section of road extended.

Be it enacted, &c., That an act approved July twenty-eight, eighteen hundred and sixty-six, entitled, "An act to revive and extend the provisions of 'An act granting the right of way and making a grant of land to the States of Arkansas and Missouri, to aid in the construction of a railroad from a point upon the Mississippi River, opposite the mouth of the Ohio River, via Little Rock, to the Texas boundary near Fulton in Arkansas, with branches to Fort Smith and the Mississippi River,' approved February nine, eighteen hundred and fifty-three, and for other purposes," be so amended as to extend the time to the Little Rock and Fort Smith Railroad Company, for building the first section

of twenty miles provided for in the second section of said act, for the term of three years from the thirteenth day of May, eighteen hundred and sixty-seven, the time of filing the certificate of organization to said company provided for in the third section of said act: *Provided*, That the land granted by the act hereby revived shall be sold to actual settlers only, in quantities not greater than one quarter of a section to one purchaser, and for a price not exceeding two dollars and fifty cents per acre. (a)

Proviso: land to whom and how to be sold.

(a) See Nos. 1083, 1086, 1088, 1111, 1112, 1113, 1120, 1121, 1122, 1125, 1131, 1133, 1134, 1136, 1152.

No. 1133.—AN ACT to amend an act entitled "An act to extend the time for the Little Rock and Fort Smith Railroad Company to complete the first section of twenty miles of said road," approved April ten, eighteen hundred and sixty-nine.

March 8, 1870.
Vol. 16, p. 76.

Be it enacted, &c., That the proviso of an act entitled "An act to extend the time for the Little Rock and Fort Smith Railroad Company to complete the first section of twenty miles of said road," approved April ten, eighteen hundred and sixty-nine, be, and the same hereby is, repealed. (a)

Little Rock and Fort Smith Railroad Company.

Repeal of proviso as to mode of sale of land.

(a) See Nos. 1083, 1086, 1088, 1111, 1112, 1113, 1120, 1121, 1122, 1125, 1131, 1133, 1134, 1136, 1152.

No. 1134.—A RESOLUTION extending the time for the completion of the first section of twenty miles of the Cairo and Fulton Railroad.

May 6, 1870.
Vol. 16, p. 376.

Resolved, &c., That in case the Cairo and Fulton Railroad Company shall complete the first section of twenty miles of said road by the twentieth day of December, eighteen hundred and seventy, and the Secretary of the Interior shall be satisfied of such completion, then the said company shall be entitled to its lands in all respects and to the same extent as it would have been had said twenty miles been completed by the twenty-eighth of April, eighteen hundred and seventy, as provided by law relating to said railroad company. (a)

Time for completion of first section of Cairo and Fulton railroad extended.

(a) See Nos. 1083, 1086, 1088, 1111, 1112, 1113, 1120, 1121, 1122, 1125, 1131, 1133, 1136, 1152.

No. 1135.—AN ACT for the relief of certain purchasers of lands from the legal representatives of Bartholomew Cousin.

Feb. 18, 1871.
Vol. 16, p. 415.

Whereas the claim of Bartholomew Cousin, or his legal representatives, is embraced in Recorder Bates'[s] report of February second, eighteen hundred and sixteen, and confirmed to the extent of a league square, and survey numbered two thousand one hundred and ninety-six was made for the same in the year eighteen hundred and eighteen; and whereas a further confirmation was made of eight hundred and ninety-nine arpens, or six hundred and sixty-four and seventy-eight hundredths acres, in the favorable report, numbered sixty-one, of the board of commissioners, under the acts of Congress of the years eighteen hundred and thirty-two and eighteen hundred and thirty-three, confirmed by the act of July, eighteen hundred and thirty-six: Therefore,

Preamble.

Be it enacted, &c., That it shall and may be lawful for the county surveyor of the county of Cape Girardeau, or whomsoever may be designated by the Commissioner of the General Land Office, to select an area, in compact form, as near as may be to the quantity of acres of the confirmation by act of July fourth, eighteen hundred and thirty-six, according to legal subdivisions, and in full satisfaction of said claim: beginning at a corner where a line of the survey numbered two thousand one hundred and ninety-six intersects the north line of section twelve, township thirty-one north, range eleven east, near the northeast corner of said section twelve; thence with said line of said survey two thousand one hundred and ninety-six to a corner of said survey two thousand one hundred and ninety-six, in section twenty-three of said township and range; thence westwardly on a line a sufficient distance that a line projected northwardly parallel with the western boundary line of survey numbered two thousand one hundred and ninety-six, and running eastwardly to the place of beginning, will include the said quantity of six hundred and sixty-four and seventy-eight hundredths acres; and thereafter, and within one year from the passage of this act, the parties claiming in right of said Cousin any tract outside of the limits of said survey numbered two thousand one hundred and ninety-six, and the selection authorized by this act to make good the second confirmation aforesaid,

An area may be designated in full satisfaction of the claim of Bartholomew Cousin.

Boundaries.

Parties claiming in the right of Cousin any tract outside, &c., may, upon, &c., pay therefor and at what rates.

Persons residing upon, &c., after the survey and adjustment of said confirmation, which is not embraced therein but withheld from sale by the Government of the United States by reason of the supposed interference and non-survey of said second confirmation, thereafter and in one year from the adjustment of said survey any party or person residing upon and cultivating such tract or parcel of land withheld from sale as aforesaid at and before the passage of this act, upon making satisfactory proof to the register and receiver of the land district in which such tracts or parcels are situated of actual settlement according to the provisions of this section, be, and are hereby, authorized to enter said tracts, not to exceed one hundred and sixty acres, including improvements, at one dollar and twenty-five cents per acre, or claim the same as a homestead, agreeably to the act of Congress granting homestead to actual settlers. (b)

be, and are hereby, authorized, on satisfactory proof to the register and receiver of the land district in which said tracts are situated, of such right, to make payment therefor at the rate of one dollar and twenty-five cents per acre, or by pre-emption or claim of homestead, according to the laws of the United States in such cases made and provided. (a)

SEC. 2. *And be it further enacted*, That any tract or parcel of land, after the survey and adjustment of said confirmation, which is not embraced therein but withheld from sale by the Government of the United States by reason of the supposed interference and non-survey of said second confirmation, thereafter and in one year from the adjustment of said survey any party or person residing upon and cultivating such tract or parcel of land withheld from sale as aforesaid at and before the passage of this act, upon making satisfactory proof to the register and receiver of the land district in which such tracts or parcels are situated of actual settlement according to the provisions of this section, be, and are hereby, authorized to enter said tracts, not to exceed one hundred and sixty acres, including improvements, at one dollar and twenty-five cents per acre, or claim the same as a homestead, agreeably to the act of Congress granting homestead to actual settlers. (b)

(a) See No. 1138.

(b) See Nos. 729, 981, 983, 997, 1007, 1009, 1010, 1020, 1028, 1083, 1086, 1096, 1110, 1115, 1120, 1121.

April 20, 1871.
Vol. 17, p. 19.

No. 1136.—AN ACT to enable the Atlantic and Pacific Railroad Company to mortgage its road.

The Atlantic and Pacific Railroad Company may issue bonds secured by mortgage of its road, franchises, lands, &c.

Be it enacted, &c., That the Atlantic and Pacific Railroad Company, organized under act of Congress of July twenty-seven, eighteen hundred and sixty-six, is hereby authorized to make and issue its bonds in such form and manner, for such sums, payable at such times, and bearing such rate of interest, and to dispose of them on such terms as its directors may deem advisable; and to secure said bonds, the said company may mortgage its road, equipment, lands, franchises, privileges, and other rights and property, subject to such terms, conditions, and limitations as its directors may prescribe. As proof and notice of the legal execution and effectual delivery of any mortgage hereafter made by said company, it shall be filed and recorded in the office of the Secretary of the Interior: *Provided*, That if the company shall hereafter suffer any breach of the conditions of the act above referred to, under which it is organized, the rights of those claiming under any mortgage made by the company to the lands granted to it by said act shall extend only to so much thereof as shall be coterminous with or appertain to that part of said road which shall have been constructed at the time of the foreclosure of said mortgage. (a)

Proof of execution of mortgage.

Breach of conditions of organic act by corporation, how far to effect those claiming under the mortgage.

As proof and notice of the legal execution and effectual delivery of any mortgage hereafter made by said company, it shall be filed and recorded in the office of the Secretary of the Interior: *Provided*, That if the company shall hereafter suffer any breach of the conditions of the act above referred to, under which it is organized, the rights of those claiming under any mortgage made by the company to the lands granted to it by said act shall extend only to so much thereof as shall be coterminous with or appertain to that part of said road which shall have been constructed at the time of the foreclosure of said mortgage. (a)

(a) See Nos. 1083, 1086, 1088, 1111, 1112, 1113, 1120, 1121, 1122, 1125, 1131, 1132, 1133, 1134, 1152.

April 17, 1872.
Vol. 17, p. 652.

No. 1137.—AN ACT to confirm the title of John Boyer to certain lands therein described.

Title of John Boyer to certain land in Missouri confirmed.

Be it enacted, &c., That the title of John Boyer to the south half of northwest quarter and northeast quarter of southwest quarter of section thirty-four, township thirty-three, range twenty-eight west, one hundred and twenty acres, in the district of lands subject to location at Springfield, Missouri, be, and is hereby, confirmed; and the Secretary of the Interior shall cause to be issued to the said John Boyer a patent for said land on bounty-land warrant location thirty-nine thousand five hundred and twenty-six, one hundred and twenty acres, act March third, eighteen hundred and fifty-five, first correcting the location papers and records to cover the aforesaid tracts.

June 4, 1872.
Vol. 17, p. 225.

No. 1138.—AN ACT to extend the provisions of an act entitled "An act for the relief of certain purchasers of lands from the legal representatives of Bartholomew Cousin," approved February eighteenth, eighteen hundred and seventy-one.

Act for the relief of those claiming title to land under Bartholomew Cousin extended.

Be it enacted, &c., That the provisions of an act entitled "An act for the relief of certain purchasers of lands from the legal representatives of Bartholomew Cousin," approved February eighteenth, eighteen hundred and seventy-one, be, and the same are hereby, extended one year from the expiration thereof. (a)

(a) See No. 1135.

No. 1139.—AN ACT to extend the provisions of an act entitled "An act for the final adjustment of private land claims in the States of Florida, Louisiana, and Missouri, and for other purposes."

June 10, 1872.
Vol. 17, p. 378.

[See LOUISIANA, No. 967.]

No. 1140.—AN ACT to quiet the title to certain lands in the State of Missouri.

Dec. 27, 1872.
Vol. 17, p. 404.

Preamble.

Whereas by an act of the Congress of the United States, approved on the twenty-eighth day of September, eighteen hundred and fifty, the State of Missouri, with other States, acquired title to all swamp and overflowed lands within their limits; that the State of Missouri, by an act of its general assembly, approved February twenty-third, eighteen hundred and fifty-three, passed the title thus acquired to the several counties in which said lands were situated, for the purpose and to the end that the same should be drained and reclaimed as provided by said act of Congress; and that after the donation as aforesaid a commissioner was appointed, charged with the duty to select and locate such swamp lands, who did make such selections and locations in said county of Scott, and State of Missouri, making due report of the same, which report was, by proper authority, approved, and the lands so located patented by the Government of the United States to the State of Missouri, and, on the twenty-ninth day of April, eighteen hundred and seventy, by said State to said county of Scott: and whereas said commissioner, in his report, described other lands situated in said county as unsurveyed swamp lands, and that in the year eighteen hundred and sixty said lands were ordered to be surveyed by the General Government, which survey was approved by the surveyor-general of Missouri on the second day of July, eighteen hundred and sixty-one, and that by act of Congress approved March the twelfth, eighteen hundred and sixty, said county was given two years in which to present its claim and make proof to its title to said lands, which could not be done, owing to the existence of civil war then afflicting the people of said county: and whereas said county, believing further time would be given to make said claim and proof, did sell to actual settlers the greater portion of said lands, which purchasers, relying on said title, have made, in many instances, permanent and valuable improvements: Therefore,

Be it enacted, &c., That the lands above referred to be, and the same are hereby, granted to the county of Scott, in the State of Missouri, which lands, in the aggregate, amount to four thousand four hundred and ten and seventy-one hundredths acres, and described as follows: Certain swamp, &c., lands granted to Scott County, Missouri.

Parts of sections one, two, three, eleven, twelve, thirteen, twenty-four, and twenty-five, all in township number twenty-seven, range twelve:

Provided, That nothing in this act shall prejudice the rights of any homestead or other entry made, by any person whatsoever, under the laws of the United States on said lands. (a) Existing rights not affected.

(a) See Nos. 1142, 1146, 1147, 1151.

No. 1141.—AN ACT to confirm certain land titles in the State of Missouri.

Feb. 14, 1874.
Vol. 18, p. 16.

Preamble.

Whereas, the Baron of Carondelet, governor-general of the Territory of Louisiana, did, on the fifteenth day of March, anno Domini seventeen hundred and ninety-seven, instruct Zeno Trudeau, lieutenant governor of said Territory, to place Moses Austin in possession of a league square of land at Mine à Breton, in said Territory; and

Whereas the said Moses Austin did, in the year anno Domini seventeen hundred and ninety-eight, take possession of the said land by moving upon it with his family, and did improve the same by building dwelling-house, blacksmith shop, furnace, and other improvements; and

Whereas the said lieutenant governor did, on the fourteenth day of January, seventeen hundred and ninety-nine, order Antone Lulard, surveyor in said Territory, to survey the said land and put the said Austin legally in possession of the same, which survey, numbered fifty-two, containing seven thousand one hundred and fifty-three arpents and three and two-thirds feet, was executed by said Antone Lulard, and a certificate of the same filed by him in November, anno Domini eighteen hundred; and

Whereas Don John Ventara Morales, then governor at New Orleans,

did, in the year of our Lord eighteen hundred and two, in the name of the King of Spain, grant to the said Moses Austin the lands so surveyed and located; Therefore

Release of certain lands in Missouri to heirs of Moses Austin.

Be it enacted, &c., That the United States hereby release whatever title they have to said lands now numbered four hundred and thirty on the plat in the surveyor-general's office, and in townships thirty-seven and thirty-eight, range two east, in the county of Washington, and State of Missouri, containing seven thousand one hundred and fifty-three and thirty-two one-hundredths arpents (six thousand eighty-five and twenty-nine one-hundredths acres,) to the heirs, legal representatives, or assigns of said Moses Austin, according to their respective interests therein: *Provided, however*, That this act shall not affect nor impair the title which any settler or other person may have acquired adverse to the title of said Moses Austin to any portion of said land.

Adverse titles not affected.

Feb. 19, 1874.
Vol. 18, p. 16.

No. 1142.—AN ACT granting certain swamp lands in Holt County, Missouri, to said Holt County, for school purposes.

Certain lands granted to Holt County, Missouri, for school purposes.

Be it enacted, &c., That all the tract of land embraced in what is known as Tarkio Lake, (a) in congressional township, numbered sixty, of range thirty-nine, in the county of Holt, State of Missouri, and which was left unsurveyed at the time the Government of the United States had made a survey of the other lands in said township and county, and which was described on the plat of the survey of said lands as a meandering lake, be, and the same is hereby, granted to the said county of Holt, in the State of Missouri, for school purposes. (b)

Survey and patent.

SEC. 2. That the Commissioner of the General Land Office is hereby directed to have said lands surveyed, and to cause to be executed to the said county of Holt, a patent for the same: *Provided*, That nothing in this act contained shall be so construed as to affect the rights of any person who may have in good faith gone upon said lands prior to January first, eighteen hundred and seventy-four, with the intent of preempting or homesteading the same; and the said county of Holt is hereby required to make a title to any such person to an amount of land not exceeding one hundred and sixty acres upon the payment to the county of one dollar and twenty-five cents per acre: *And be it further provided*, That all cost of surveying said lands shall be paid by said county of Holt.

Prior rights of settlers not affected.

County to make title on payment, &c.

To pay cost of surveying.

(a) See Nos. 1140, 1146, 1147, 1151.

(b) See Nos. 972, 988, 989, 995, 1013, 1016, 1093, 1114, 1145.

June 6, 1874.
Vol. 18, p. 62.

No. 1143.—AN ACT obviating the necessity of issuing patents for certain private land claims in the State of Missouri, and for other purposes.

Certain lands in Missouri released to owners of equitable titles.

Be it enacted, &c., That all of the right, title, and interest of the United States in and to all of the lands in the State of Missouri which have at any time heretofore been confirmed to any person or persons by any act of Congress, or by any officer or officers, or board or boards of commissioners, acting under and by authority of any act of Congress, shall be, and the same are hereby, granted, released, and relinquished by the United States, in fee-simple, to the respective owners of the equitable titles thereto, and to their respective heirs and assigns forever, as fully and as completely, in every respect whatever, as could be done by patents issued therefor according to law. (a)

Valid rights and interests affected.

SEC. 2. That nothing contained in the first section of this act shall, in any manner, abridge, divest, impair, injure or prejudice any valid right, title or interest of any person or persons in or to any portion or part of the lands mentioned in said first section; and this act shall in no wise affect any lands or lots heretofore relinquished to the United States.

Secretary of Interior may discontinue office of recorder of land titles in Missouri.

SEC. 3. That whenever the Secretary of the Interior shall be of the opinion that the public interest no longer requires the continuance of the office of recorder of land titles in Missouri, he may close and discontinue the same; and all of the records, maps, plats, field-notes, books, papers, and everything else concerning, pertaining, or belonging to said office of recorder, shall be delivered to the State of Missouri: *Provided, however*, That said State shall provide by law for the reception and safe-keeping of said records, maps, plats, field-notes, books, papers,

Records, maps, &c., to be delivered to State authorities.

and everything else belonging to said office of recorder, as public records, and for the allowance of free access to the same by the authorities of the United States, for the purpose of taking extracts therefrom, or making copies thereof, without charge of any kind: *And provided further*, That when said office of recorder shall be closed and discontinued as aforesaid, the Commissioner of the General Land Office shall forever thereafter possess and exercise all of the powers and authority and perform all the duties of said recorder. (b)

(a) See Nos. 722, 722, 957, 967, 972, 973, 974, 976, 980, 988, 998, 999, 1002, 1007, 1016, 1119, 1020, 1024, 1041, 1063, 1067, 1102, 1104, 1106, 1107, 1124, 1139.

(b) See Nos. 189, 701, 972, 973, 974, 977, 1020, 1024, 1149.

State to provide for safe-keeping, &c.

Free access to authorities of United States.

Commissioner of General Land Office to exercise power of recorder.

No. 1144.—AN ACT for the relief of Thomas Ridgway.

June 20, 1874.
Vol. 18, p. 572.

Be it enacted, &c., That the title of Thomas Ridgway, late of Linn County, Missouri, to the northeast quarter of section twenty-nine, in township fifty-eight, in range nineteen north, in Linn County, Missouri, is hereby confirmed; and the Secretary of the Interior is hereby authorized and directed to issue and deliver to the legal representatives of said Thomas Ridgway, deceased, a patent for said land.

Title to land confirmed and patent issued to Thomas Ridgway.

No. 1145.—AN ACT to appropriate lands for the support of schools in certain fractional townships in the State of Missouri.

June 22, 1874.
Vol. 18, p. 202.

Be it enacted, &c., That for all fractional townships in the State of Missouri, which are entitled to public lands for the support of schools, according to the provisions of the act of Congress approved May twentieth eighteen hundred and twenty-six entitled "An act to appropriate lands for the support of schools in certain townships and fractional townships not before provided for," and for which no selections have heretofore been made, there shall be reserved and appropriated out of the public lands, for each of said fractional townships, the amount of land to which they were respectively entitled according to the provisions of said act.

School lands for certain fractional townships in Missouri.

SEC. 2. That the lands to which said fractional townships are entitled as aforesaid shall be selected by the Commissioner of the General Land Office out of any unappropriated public land within the State of Missouri subject to sale or location at one dollar and twenty-five cents an acre: *Provided*, That said Commissioner, in making such selection, shall select such land as shall be designated to him for that purpose by the county courts of the counties in which such fractional townships are situated; and, when so selected, said lands shall be held by the same tenure, and upon the same terms, for the support of schools in such fractional townships, as sections numbered sixteen are, or may be, held in the State of Missouri. (a)

Selection by Commissioner of General Land Office.

Proviso.

(a) See Nos. 972, 988, 989, 995, 1013, 1016, 1093, 1114, 1142.

No. 1146.—AN ACT authorizing and requiring the issuance of a patent for certain lands to the county of Scott, in the State of Missouri.

June 23, 1874.
Vol. 18, p. 282.

Whereas, by the act of the Congress of the United States entitled "An act to quiet the title to certain lands in the State of Missouri," approved December twenty-seventh eighteen hundred and seventy-two, certain lands therein mentioned were granted to the county of Scott, in the State of Missouri, which were not specifically described; and

Preamble.

Whereas, no provision for the issuance of a patent for said lands was made in said act: Therefore,

Be it enacted, &c., That it shall be the duty of the Commissioner of the General Land Office to cause a patent to be issued to said county of Scott, in the State of Missouri, for all the lands included in that portion of township numbered twenty-seven north, of range twelve east, of the fifth principal meridian, lying east of Little River, as the same appears on the plat of survey on file in the General Land Office: *Provided*, That nothing in this act shall prejudice the rights of any person claiming any of said lands by virtue of any homestead, preemption, or other entry made under the laws of the United States. (a)

Patent to issue to Scott County, Missouri, for certain lands.

Not to prejudice rights of homestead, preemption, or other claimants.

(a) See Nos. 1140, 1142, 1147, 1151.

Feb. 23, 1875. **No. 1147.**—AN ACT for the relief of actual settlers on lands claimed to be swamp and overflowed lands in the State of Missouri.
Vol. 18, p. 334.

Purchasers of lands in Missouri, as swamp lands, to have priority to pre-empt or homestead, if lands not in fact swamp. *Be it enacted, &c.,* That in all cases in the State of Missouri where lands have heretofore been selected and claimed as swamp and overflowed lands by said State, and the various counties therein, by virtue of any act of Congress, and said lands have been withheld from market in consequence thereof by the General Government, and the said State and counties have sold said lands to actual settlers, and said settlers have improved the same to the value of one hundred dollars; said settlers, their heirs, assigns, and legal representatives, who have continued to reside thereon, shall have priority of right to pre-empt or homestead all such lands as may be rejected by the United States as not being in fact swamp and overflowed lands; and it shall be the duty of the Secretary of the Interior to make such rules and regulations as may be necessary to carry into effect the provisions of this act: *Provided,* That nothing herein contained shall prejudice the rights of any person who may have made actual settlement upon such lands under the pre-emption or homestead laws prior to the passage of this act. (a)

(a) See Nos. 1140, 1142, 1146, 1151.

May 5, 1876. **No. 1148.**—AN ACT to exclude the States of Missouri and Kansas from the provisions of the act of Congress entitled "An act to promote the development of the mining resources of the United States" approved May tenth eighteen hundred and seventy-two.
Vol. 19, p. 52.

All lands in Missouri and Kansas subject to disposal as agricultural lands. *Be it enacted, &c.,* That within the States of Missouri and Kansas deposits of coal, iron, lead, or other mineral be, and they are hereby, excluded from the operation of the act entitled "An act to promote the development of mining resources of the United States" approved May tenth, eighteen hundred and seventy-two and all lands in said States shall be subject to disposal as agricultural lands.

July 31, 1876.
Vol. 19, p. 181.

No. 1149.—AN ACT making appropriations, &c.

[Office of recorder of land titles of the State of Missouri abolished.
See OHIO, No. 189.]

Dec. 28, 1876.
Vol. 19, p. 500.

No. 1150.—AN ACT directing the Commissioner of the General Land Office to issue certificate of relocation for six hundred and forty acres of land in the Territory of Missouri, to legal representatives of Samuel Ware.

Preamble.

Whereas, Samuel Ware was the owner of land claim numbered four hundred and thirty-eight, located in the county of New Madrid, in the then Territory of Missouri, for six hundred and sixty arpents, which was confirmed by act of Congress of the twenty-ninth day of April, eighteen hundred and sixteen (United States Statutes, volume three, page three hundred and twenty-eight); and

Whereas, said lands having been injured by earthquakes, the said Samuel Ware availed himself of the provisions of the act of the seventeenth day of February, eighteen hundred and fifteen, (Statutes, volume three, page two hundred and eleven,) whereby persons owning lands in said county of New Madrid which were materially injured by earthquakes were authorized to locate the like quantity of lands on any of the then Territory the sale of which is authorized by law; and

Whereas, in pursuance of said law, said Ware relinquished his claim to the land confirmed as number four hundred and thirty-eight, under the act of the twenty-ninth day of April, eighteen hundred and sixteen, and applied for a certificate of relocation; and

Whereas, on the sixteenth day of August, eighteen hundred and sixteen, Frederick Bates, recorder of land titles, did issue to said Samuel Ware certificate of location numbered sixty-three, which was afterward located on the east half of section twelve, township twenty-four north, of range seventeen east, and the west half of section seven, township twenty-four north, of range eighteen east, on Wolf Island, in the Mississippi River, upon the supposition that said island was in the State of Missouri; and

Whereas, it has been decided by the Supreme Court of the United States (eleventh Wallace, three hundred and ninety-five,) that said island belonged to the State of Kentucky; now, therefore,

Be it enacted, &c., That the Commissioner of the General Land Office be, and he is hereby, required to issue a certificate of new location to the legal representatives of Samuel Ware, authorizing them to locate said certificate on six hundred and forty acres of any land in what was Missouri Territory, subject to sale.

Relocation of
land by repre-
sentatives of
Samuel Ware.

No. 1151.—AN ACT granting to the State of Missouri all lands therein selected as swamp and overflowed lands.

March 3, 1877.
Vol. 19, p. 395.

Be it enacted, &c., That all lands in the State of Missouri selected as swamp and overflowed lands, and regularly reported as such to the General Land Office, and now withheld from market as such, so far as the same remain vacant and unappropriated and not interfered with by any pre-emption, homestead, or other claim under any law of the United States, and the claim whereto has not been heretofore rejected by the Commissioner of the General Land Office, or other competent authority, be, and the same are hereby, confirmed to said State, and all title thereto vested in said State; and it is hereby made the duty of the Secretary of the Interior to cause patents to issue for the same. (a)

Swamp and
overflowed lands
to Missouri.

Patents to issue.

(a) See Nos. 1140, 1142, 1146, 1147.

No. 1152.—AN ACT to create an Auditor of Railroad Accounts and for other purposes.

June 19, 1878.
Vol. 20, p. 169.

[Repeal of act of June 25, 1868, and sec. 20 of act of July 1, 1862, in reference to filing reports of railroad companies. See NEBRASKA, No. 2130.]

No. 1153.—AN ACT for the relief of the heirs and legal representatives of Israel Dodge, deceased.

June 15, 1880.
Vol. 21, p. —

Whereas, it appears that the claim of Israel Dodge, or his legal representatives, was confirmed by the act of Congress entitled "An act to confirm certain land claims in the State of Missouri," approved June twenty-first, eighteen hundred and sixty, to the extent of seven thousand and fifty-six arpents, equal to six thousand and two acres and fifty-hundredths of an acre, and that on the twenty-second day of December, eighteen hundred and sixty-five, a certificate of location number two was issued by the Commissioner of the General Land Office in full satisfaction of said claim of Israel Dodge, erroneously reciting the act of Congress approved June second, eighteen hundred and fifty-eight, as the authority for the issue of said certificate; and

Preamble.

Whereas it appears that certain tracts of land subject to location and entry under the provisions of the aforesaid act of June twenty-first, eighteen hundred and sixty, have been duly entered under and by virtue of said certificate, and in part satisfaction thereof: Therefore,

Be it enacted, &c., That the Commissioner of the General Land Office be, and he is hereby, authorized and required to issue patents to such of the legal representatives of Israel Dodge, deceased, as may be entitled to them, for lands entered under and by virtue of certificate of location number two, erroneously issued by the Commissioner of the General Land Office on the twenty-second day of December, eighteen hundred and sixty-five, to the legal representatives of said Israel Dodge, as under and by virtue of act of Congress approved June second, eighteen hundred and fifty-eight with the same effect as though said lands had been entered under and by virtue of a certificate duly issued in accordance with the provisions of the second section of the act of June twenty-first, eighteen hundred and sixty: *Provided*, Said entries be found free from objection in every other particular, and that for the remainder of the land yet authorized to be located under said certificate upon the surrender thereof, he issue to the legal representatives aforesaid, who may be legally entitled thereto, certificates of location in quantities not to exceed eighty acres and subject to all the provisions of said act of June twenty-first, eighteen hundred and sixty, each of which may be located upon any lands not mineral, of the United States, subject to entry under the laws thereof, and the lands located therewith patented in like manner as other public lands of the United States: *Provided*, That the location in each case shall conform to the legal subdivisions of the public surveys.

Patents to issue
to legal repre-
sentatives of Is-
rael Dodge.

Proviso.

Proviso.

A R K A N S A S.

May 6, 1812.
Vol. 2, p. 728.

No. 1154.—AN ACT to provide for designating, surveying and granting the military bounty lands.

[Lands set apart for satisfying military bounty claims, not exceeding six millions of acres, in Michigan, Illinois, and Territory of Louisiana, subsequently Arkansas. See MICHIGAN, No. 458.]

Aug. 2, 1813.
Vol. 3, p. 86.

No. 1155.—AN ACT giving further time for registering claims to lands in the late district of Arkansaw, in the Territory of Missouri, and for other purposes.

[See MISSOURI, No. 974.]

March 2, 1819.
Vol. 3, p. 493.

No. 1156.—AN ACT establishing a separate Territorial government in the southern part of the Territory of Missouri.

Part of the Missouri Territory after July 4, 1819, to form a separate Territory to be called Arkansas.

Be it enacted, &c., That from and after the fourth day of July next, all that part of the Territory of Missouri which lies south of a line, beginning on the Mississippi River, at thirty-six degrees, north latitude, running thence west to the river St. Francois; thence, up the same, to thirty-six degrees thirty minutes north latitude; and thence, west, to the western Territorial boundary line; shall, for the purposes of a Territorial government, constitute a separate Territory, and be called the Arkansaw Territory. (a)

Laws in force in Missouri, on July 4th, 1819, not inconsistent, &c., to be in force in Arkansas.

SEC. 10. *And be it further enacted,* That all the laws which shall be in force in the Territory of Missouri, on the fourth day of July next, not inconsistent with the provisions of this act, and which shall be applicable to the Territory of Arkansaw, shall be, and continue, in force in the latter Territory, until modified or repealed by the legislative authority thereof.

Military bounty lands exempt from taxes for three years from date of patents, while, &c.

SEC. 11. *And be it further enacted,* That the bounty lands granted, or hereafter to be granted, for military services during the late war, shall, while they continue to be held by the patentees or their heirs, remain exempt from all taxes, for the term of three years from and after the date of the patents respectively. (b)

The line between certain land offices altered.

SEC. 14. *And be it further enacted,* That the line now established by law, between the land offices at the seat of justice in the county of Lawrence, and at the town of Jackson, in the county of Cape Girardeau, shall, from and after the passage of this act, be so altered as to run, be the same and correspond with the northern line of the said Territory of Arkansaw, any thing in the act, entitled "An act making provision for the establishment of additional land offices in the Territory of Missouri," passed the seventeenth day of February, one thousand eight hundred and eighteen, to the contrary notwithstanding. (c)

(a) See Nos. 762, 1076, 1161, 1171, 1203, 1204, 1239, 1257.

(b) See Nos. 1203, 1204.

(c) See Nos. 1157, 1158, 1166, 1191, 1200, 1209, 1234, 1254.

March 17, 1820.
Vol. 3, p. 554.

No. 1157.—AN ACT to authorize the President of the United States to appoint a receiver of the public moneys and register of the land office for the district of Lawrence County, in the Arkansas Territory.

The President authorized to appoint a receiver and register for Lawrence County.

Be it enacted, &c., That the President of the United States be, and he is hereby, authorized to appoint a receiver of the public moneys and register of the land office for the district of Lawrence County, in the Arkapsas Territory. (a)

SEC. 2. *And be it further enacted,* That every person having a claim to a right of pre-emption within the said district, shall make known his claim and location, according to the provisions of the laws now in force, to the register, at least six weeks before the time, to be designated by the President of the United States, for issuing patents to the soldiers of the late army entitled to bounty land in said district. (a)

(a) See Nos. 1156, 1158, 1166, 1191, 1200, 1209, 1234, 1254.

Persons having claim to pre-emption, &c., to make it known to the register six weeks before issuing patents to soldiers of the late army.

No. 1158.—AN ACT authorizing the President of the United States to remove the land office in the district of Lawrence County, in the Territory of Arkansas.

March 2, 1821.
Vol. 3, p. 622.

Be it enacted, &c., That, so much of the act, entitled "An act making provision for the establishment of additional land offices in the Territory of Missouri," as requires that the land office for the district of Lawrence County shall be established at the seat of justice in said county, shall be, and the same is hereby, repealed; and the President of the United States is hereby authorized to remove and establish said office at any suitable place within the said district. (a)

(a) See Nos. 1156, 1157, 1166, 1191, 1200, 1209, 1234, 1254.

Part of an act of February 17, 1818, repealed.

The President may establish the office at any suitable place.

No. 1159.—AN ACT authorizing the Secretary of the Treasury to furnish, for the use of the Territory of Arkansas, an abstract of the military bounty lands, lying within the same.

Jan. 1, 1824.
Vol. 4, p. 1.

Be it enacted, &c., That it shall be the duty of the Secretary of the Treasury, to cause a complete abstract to be made out and transmitted, for the use of the Territory of Arkansas, to the governor of said Territory, of all the military bounty lands, which have been patented to the soldiers of the late army, or to their legal representatives, lying within the same, designating the tract, the name of the patentee, and the time when issued. (a)

(a) See Nos. 458, 1154, 1167, 1177, 1204, 1216, 1240, 1245.

An abstract to be made out of military bounty lands for the Territory of Arkansas.

No. 1160.—AN ACT concerning pre-emption rights in the Territory of Arkansas.

May 26, 1824.
Vol. 4, p. 32.

Be it enacted, &c., That every person, and the legal representative of every person, who was entitled to the right of pre-emption, in the Territory of Arkansas, under the provisions of the act of Congress of the 12th of April, one thousand eight hundred and fourteen, entitled "An act for the final adjustment of land titles in the State of Louisiana and Territory of Missouri," in that tract of country north of the river Arkansas, ceded by the United States to the Cherokee nation of Indians, on the eighth day of July, one thousand eight hundred and seventeen, be, and they are hereby, authorized, in lieu thereof, and in full compensation for such right of pre-emption, to enter with the register of the land office in the district of Lawrence, in said Territory, any tract within said district, on which they may have made improvements previously to the passing of this act, or any unimproved tract within said district, the sale of which is authorized by law: *Provided,* That no more than one quarter-section of land shall be sold to any one individual, in virtue of this act; and the same shall be bounded by the sectional and divisional lines run, or to be run, under the direction of the surveyor of the United States' lands for the States of Missouri and Illinois, and Territory of Arkansas.

Any person or his legal representative, who was entitled to the right of pre-emption in the Territory of Arkansas, under the act of April 12, 1814, authorized to enter with the register of the land office in Lawrence district, any tract therein.

Proviso.

SEC. 2. *And be it further enacted,* That every person claiming a preference in becoming the purchaser of a tract of land, in virtue of this act, shall deliver a notice in writing to the register of the land office for said district, stating therein that he was entitled to a pre-emption right, under the aforesaid act of Congress, in that part of the Territory of Arkansas ceded as aforesaid, and also particularly designating therein the quarter-section he is desirous to enter, which notice the register shall file in his office; and, in every case where it shall be proved, to the satisfaction of the register and receiver of public moneys of the land office aforesaid, that any person who has delivered such notice was entitled to a pre-emption right under said act of Congress, in that part of the Territory of Arkansas ceded as aforesaid, shall have a right to

Every person claiming a preference in becoming a purchaser of a tract of land, in virtue of this act, shall deliver a notice in writing to the register of the land office for said district.

The register to file such notice.

Proviso.

enter with the register of said land office, at the minimum price for which United States' lands are sold, the tract of land designated in said notice, on producing his receipt from the receiver of public moneys for the purchase money of said tract, as in case of other public lands sold at private sale; and, as a compensation for their services, the register and receiver shall, each, be entitled to one dollar in every such case, to be paid by the claimant of such pre-emption right: *Provided*, That every such entry and payment shall be made at least two weeks previous to the time of offering the adjacent lands at public sale, unless the same be entered in such part of said district as shall have been offered at public sale at the time of the passage of this act; in which case, such entry shall be made within two years from the passage thereof. (a)

(a) See Nos. 421, 1178, 1200, 1230, 1236, 1245, 1255, 1258, 1261.

May 26, 1894. Vol. 4, p. 40. No. 1161.—AN ACT to fix the western boundary line of the Territory of Arkansas, and for other purposes.

Course of the western boundary line of the Territory of Arkansas.

Be it enacted, &c., That the western boundary line of the Territory of Arkansas shall begin at a point forty miles west of the southwest corner of the State of Missouri, and run south to the right bank of the Red River, and thence, down the river, and with the Mexican boundary, to the line of the State of Louisiana, any law heretofore made, to the contrary notwithstanding. (a)

(a) See Nos. 762, 1076, 1156, 1171, 1203, 1204, 1239, 1257.

May 26, 1894. Vol. 4, p. 41. No. 1162.—AN ACT making an appropriation towards the extinguishment of the Quaupau title to lands in the Territory of Arkansas.

Appropriation of \$7,500 to negotiate a treaty with the Quaupau Indians.

Be it enacted, &c., That a sum not exceeding seven thousand five hundred dollars be, and the same is hereby, appropriated, to be paid out of any money in the Treasury not otherwise appropriated, to enable the President of the United States to negotiate a treaty with the Quaupau Indians, for the extinguishment of their title to lands in the Territory of Arkansas.

May 26, 1894. Vol. 4, p. 52. No. 1163.—AN ACT enabling the claimants to lands within the limits of the State of Missouri and Territory of Arkansas to institute proceedings to try the validity of their claims.

[See MISSOURI, No. 998.]

May 26, 1894. Vol. 4, p. 65. No. 1164.—AN ACT supplementary to an act passed on the thirteenth day of June, one thousand eight hundred and twelve, entitled "An act making further provision for settling the claims to land in the Territory of Missouri."

[Surveyor-general to survey and set apart vacant lots, commons, &c., in Arkansas village, for use of schools, &c. See MISSOURI, No. 999.]

March 3, 1895. Vol. 6, p. 329. No. 1165.—AN ACT for the relief of Moses Plumer.

Any unappropriated military quarter-section of land in Arkansas to be entered by him.

Proviso.

Be it enacted, &c., That it shall and may be lawful for Moses Plumer, a soldier in the late war, to locate and enter, with the register of the land office for the proper district in the Territory of Arkansas, according to the sectional and divisional lines, any unappropriated quarter-section of land within the military district in said Territory; and, upon such location and entry being made, it shall be the duty of the register to issue to the said Moses Plumer, a certificate, specifying therein the quarter section so located and entered. And it shall be the duty of the Commissioner of the General Land Office to issue a patent for the land so located and entered, whenever the certificate aforesaid shall be presented to him for that purpose: *Provided*, That, before such location and entry shall be made, the said Moses Plumer shall surrender to the register the patent which he now holds from the United States, for the southeast quarter of section four, of township ten, in range five, west of the tract appropriated for military bounties, in the Territory of Arkansas, accompanied by such a release of his interest to the land therein specified, as the Commissioner of the General Land Office shall direct.

No. 1166.—AN ACT to extend the land districts in the Territory of Arkansas.

April 5, 1826.
Vol. 4, p. 153.

Be it enacted, &c., That all that tract of country in the Territory of Arkansas, lying north of the base line, and west of the Lawrence land district, be, and the same is hereby, attached to, and made a part of, said land district; and all that part of the Territory of Arkansas lying south of the base line, and west of the Arkansas land district, be, and the same is hereby, attached to, and made a part of, the Arkansas land district: *Provided*, That nothing in this act contained shall be construed as authorizing a survey or interference of any kind whatever upon any lands, the right whereof is in any Indian tribe. (a).

Tract of country attached to the land district in Arkansas.

Proviso.

(a) See Nos. 1156, 1157, 1158, 1191, 1200, 1209, 1234, 1254.

No. 1167.—AN ACT authorizing certain soldiers in the late war to surrender the bounty lands drawn by them, and to locate others in lieu thereof.

May 22, 1826.
Vol. 4, p. 190.

Be it enacted, &c., That it shall and may be lawful for any soldiers in the late war, or their heirs, to whom bounty lands have been patented, or may hereafter be patented, in the Territory of Arkansas, and which land is unfit for cultivation, and who have removed, or shall hereafter remove, to the said Territory, with a view to actual settlement on the lands by them drawn—in all such cases, where it shall be made to appear, in such manner as the Commissioner of the General Land Office shall direct, to the satisfaction of the register and receiver of the proper district, that the land patented to them is unfit for cultivation, and on the surrender of the patent to them granted, accompanied with such a release of their interest as the Commissioner of the General Land Office shall prescribe, such soldier, or his heirs, may locate and enter with the register of the land office, for the proper district, in the Territory of Arkansas, according to the sectional and divisional lines, the like quantity on any of the unappropriated public lands in the military district in said Territory; and upon such entry and location being made, it shall be the duty of the register to issue to the person so locating, a certificate specifying the quarter or half section of land so located and entered; and it shall be the duty of the Commissioner of the General Land Office, if he is satisfied such certificate was fairly obtained, to issue a patent for the lands so located, whenever the certificate aforesaid shall be presented to him for that purpose. *Provided*, That before such certificate of location shall be granted, the applicant shall satisfy the register and receiver that his interest in the land originally patented to him, has not been divested, either by his own acts, or by the operation of law, for taxes, or otherwise. *And provided, also*, That such surrender and relocation shall be made on or before the first day of January, eighteen hundred and thirty. But, if said interest shall have been divested in either mode above mentioned, no title shall be acquired to the land subsequently patented. (a)

Soldiers, or their heirs, to whom bounty lands have been patented in Arkansas, unfit for cultivation, to receive in exchange a like quantity on any of the unappropriated lands in the military district in said Territory.

Duty of the register.

Duty of the Commissioner of the General Land Office.

Proviso.

Such surrender, &c., to be made on or before Jan. 1, 1830, &c.

(a) See Nos. 458, 1154, 1159, 1177, 1204, 1216, 1240, 1245.

No. 1168.—AN ACT for the relief of Phineas Underwood, and for other purposes.

May 22, 1826.
Vol. 6, p. 355.

[Extension of time for filing petitions under provision of act enabling claimants in Arkansas, &c., to institute judicial proceedings. See MISSOURI, No. 1002.]

No. 1169.—AN ACT concerning a seminary of learning in the Territory of Arkansas.

March 2, 1827.
Vol. 4, p. 235.

Be it enacted, &c., That the Secretary of the Treasury be, and he is hereby, authorized to set apart and reserve from sale, out of any of the public lands within the Territory of Arkansas, to which the Indian title has been, or may be, extinguished, and not otherwise appropriated, a quantity of land not exceeding two entire townships, for the use and support of an university within the said Territory and for no other use or purpose whatsoever; to be located in tracts of land of not less than an entire section, corresponding with any of the legal divisions into which the public lands are authorized to be surveyed, one of which said townships, so set apart and reserved from sale, shall be in lieu of an entire township of land directed to be located on the waters of the Arkansas River in said Territory, for the use of a seminary of learning

Secretary of the Treasury to set apart a certain quantity of land, out of the public lands, for the use of a university.

therein, by an act of Congress, entitled "An act making provision for the establishment of additional land offices in the Territory of Missouri," approved February the seventeenth, one thousand eight hundred and eighteen. (a)

(a) See Nos. 989, 1196, 1203, 1204, 1237.

March 3, 1827.
Vol. 6, p. 363.

No. 1170.—AN ACT for the benefit of the heirs of Gregory Strahan, deceased.

Acts relating
to refugees from
Canada, &c., ex-
tended to his
heirs.

Be it enacted, &c., That the provisions of the several acts of Congress, relating to refugees from Canada and Nova Scotia, be, and the same are hereby, extended to the heirs of Gregory Strahan, deceased; and that the amount of land, awarded by the officers directed in said acts to settle and adjust like claims, shall be located in the Territory of Arkansas, upon such lands as have been surveyed, and are or may be unappropriated.

May 19, 1828.
Vol. 4, p. 276.

No. 1171.—AN ACT to authorize the President of the United States to run and mark a line, dividing the Territory of Arkansas from the State of Louisiana.

[See LOUISIANA, No. 762.]

May 24, 1828.
Vol. 4, p. 298.

No. 1172.—AN ACT to continue in force for a limited time, and to amend an act, entitled "An act to enable claimants to lands within the limits of the State of Missouri and Territory of Arkansas, to institute proceedings to try the validity of their claims.

[See MISSOURI, No. 1007.]

May 24, 1828.
Vol. 4, p. 305.

No. 1173.—AN ACT to aid the State of Ohio in extending the Miami Canal from Dayton to Lake Erie, and to grant a quantity of land to said State to aid in the construction of the canals authorized by law; and for making donations of land to certain persons in Arkansas Territory.

* * * * *

Each head of a family, &c., over the age of 21 years, actually settled, which, by 1st article of treaty between the United States and the Cherokees west of the Mississippi, ratified by treaty of May 23, 1828, authorized to enter with the proper register a quantity not exceeding two quarter-sections of land.

SEC. 8. *And be it further enacted,* That each head of a family, widow or single man, over the age of twenty-one years, actually settled on that part of the Territory of Arkansas, which, by the first article of the treaty between the United States and the Cherokee Indians west of the Mississippi, ratified the twenty-third day of May, one thousand eight hundred and twenty-eight, has ceased to be a part of said Territory, who shall remove from such settlement according to the provisions of that treaty, shall be authorized to enter with the proper register of the land office in Arkansas, a quantity not exceeding two quarter-sections of land, on any of the public lands in that Territory, the sale of which is authorized by law, and in conformity with the lines of the public surveys, at any time within two years from the passage of this act; and upon presenting the certificate of such entry to the Secretary of the Treasury, a patent shall be issued to such settler, or to his, her or their heirs, for the lands so entered, as a donation from the United States, as an indemnity for the improvements and losses of such settler under the aforesaid treaty.

Register, &c., to take the proper testimony of such actual settlement and subsequent removal, &c.

SEC. 9. *And be it further enacted,* That the register and receiver of the land office, to which application may be made to enter such lands, shall be authorized to take the proper testimony of such actual settlement and subsequent removal, as in cases of pre-emptions heretofore granted to actual settlers, for which a reasonable compensation shall be made to such registers and receivers, by the United States. (a)

(a) See Nos. 1174, 1176, 1181, 1195, 1201, 1230, 1243.

Jan. 6, 1829.
Vol. 4, p. 329.

No. 1174.—AN ACT restricting the location of certain land claims in the Territory of Arkansas, and for other purposes.

Persons entitled to a donation of land in Arkansas, by virtue of an act entitled, &c., not allowed to enter

Be it enacted, &c., That no person entitled to a donation of land by the eighth section of an act, entitled "An act to aid the State of Ohio in extending the Miami Canal from Dayton to Lake Erie, and to grant a quantity of land to said State to aid in the construction of the canals authorized by law, and for making donations of land to certain persons in Arkansas Territory," shall be permitted to enter the improvement of

any actual settler in the Territory of Arkansas, before the same shall have been offered for sale, unless it be with the consent of such actual settler; and all entries which may be so made shall be considered null and void. the improvement of actual settlers, &c.

SEC. 2. *And be it further enacted*, That no person residing south of the Arkansas River, and west of the present Territorial line, shall be entitled to the donation of land given by the eighth section aforesaid, unless said persons shall move east of said line; and, in that case, they shall be entitled to the donations specified in said eighth section of said act, under the restrictions aforesaid. (a) Residents south of Arkansas River, &c., west of Territorial line, not entitled to donation given by said act, unless, &c.

(a) See Nos. 1173, 1176, 1181, 1195, 1201, 1230, 1243.

No. 1175.—AN ACT to preserve from injury and waste the school-lands in the Territory of Arkansas.

Jan. 6, 1829.
Vol. 4, p. 329.

Be it enacted, &c., That the governor and general assembly of the Territory of Arkansas be, and they are hereby, authorized to make, and carry into effect, such laws and needful regulations as they shall deem most expedient to protect from injury and waste the sixteenth section in all townships of land in said Territory, where surveys have been, or may hereafter be, made, which sections are reserved for the support of schools in each township, and to provide by law for leasing or renting the same, for any term not exceeding five years, in such manner as to render said school lands most valuable and productive, and shall apply the rents derived therefrom to the support of common schools, in the respective townships, according to the design of the donation, and to no other purpose whatever. (a) Governor and general assembly of Arkansas, authorized to protect the lands, &c.

Rents to be applied to the support of common schools.

(a) See Nos. 418, 989, 1179, 1199, 1203, 1204, 1219, 1227, 1229, 1237.

No. 1176.—AN ACT to extend the time for locating certain donations in Arkansas.

Jan. 13, 1830.
Vol. 4, p. 371.

Be it enacted, &c., That so much of an act of Congress, approved twenty-fourth of May, eighteen hundred and twenty-eight, entitled "An act to aid the State of Ohio in extending the Miami canal from Dayton to Lake Erie, and to grant a quantity of land to said State to aid in the construction of canals, authorized by law, and for making donations of land to certain persons in Arkansas Territory;" and, also, so much of an act approved 6th January, eighteen hundred and twenty-nine, entitled "An act restricting the location of certain land claims, in the Territory of Arkansas, and for other purposes," as limits the time of locating those donations, be, and the same is hereby continued in force, for the further term of one year, from the twenty-fourth day of May next: *Provided*, That no locations shall be made within the further time allowed by this act, which shall not include the actual settlement made by the claimant prior to the twenty-fourth day of May next. (a) Time limited by act of May 24, 1828, and by act of Jan. 6, 1829, for locating certain donations, extended one year from May 24, 1830.

Proviso: locations restricted to actual settlements prior to May 24, 1830.

(a) See Nos. 1173, 1174, 1181, 1195, 1201, 1230, 1243.

No. 1177.—AN ACT to continue in force "An act authorizing certain soldiers in the late war to surrender the bounty lands drawn by them, and to locate others in lieu thereof," and for other purposes.

March 23, 1830.
Vol. 4, p. 383.

Be it enacted, &c., That the act of the twenty-second of May, one thousand eight hundred and twenty-six, entitled "An act authorizing certain soldiers in the late war to surrender the bounty lands drawn by them, and to locate others in lieu thereof," be, and the same is hereby, continued in force for the term of five years. And the provisions of the above-recited act shall be, and are hereby, extended to those having like claims in the States of Illinois and Missouri. (a) Act of May 22, 1826, authorizing, &c., continued for 5 years, and its provisions extended to, &c.

(a) See Nos. 458, 1154, 1159, 1167, 1204, 1216, 1240, 1245.

No. 1178.—AN ACT for further extending the powers of the judges of the superior court of the Territory of Arkansas, under the act of the twenty-sixth day of May, one thousand eight hundred and twenty-four, and for other purposes.

May 8, 1830.
Vol. 4, p. 399.

Be it enacted, &c., That the act, approved on the twenty-sixth day of May, one thousand eight hundred and twenty-four, entitled "An act to enable claimants to lands within the limits of the State of Missouri and Territory of Arkansas, to institute proceedings to try the validity of

Act of May 26, 1824, continued.

Court in Arkansas authorized to revise certain decrees, &c., and to reverse them.

Mode of proceeding.

No entries of land to be made until, &c.

Requisites to the issuing of patents under decrees of said court.

Original warrant, &c., to be produced, &c.

Genuineness of this warrant, &c., to be established to satisfaction of Commissioner of General Land Office, or of said court upon review.

Entries, patents, &c., not to be made, except, &c.

In case of reversal, &c., lands to be subject to sale, &c.

President of United States authorized to employ additional counsel.

Appeal to the Supreme Court of United States.

Grounds of appeal.

their claims," shall be, and hereby is, continued in force, so far as the said act relates to the claims within the Territory of Arkansas, until the first day of July, one thousand eight hundred and thirty-one, for the purpose of enabling the court in Arkansas, having cognisance of claims under the said act, to proceed by bills of review, filed, or to be filed, in the said court, on the part of the United States, for the purpose of revising all or any of the decrees of the said court in cases wherein it shall appear to the said court, or be alleged in such bills of review, that the jurisdiction of the same was assumed, in any case, on any forged warrant, concession, grant, order of survey, or other evidence of title; and, in every case wherein it shall appear to the said court, on the prosecution of any such bill of review, that such warrant, concession, grant, order of survey, or other evidence of title, is a forgery, it shall be lawful, and the said court is hereby authorized to proceed, by further order and decree, to reverse and annul any prior decree or adjudication upon such claim; and thereupon such prior decree or adjudication shall be deemed, and held in all places whatever, to be null and void to all intents and purposes. And the said court shall proceed on such bills of review, by such rules of practice and regulations as they may adopt, for the execution of the powers vested or confirmed in them by this act.

SEC. 2. *And be it further enacted*, That no entries of land in any of the land offices in Arkansas, under any of the provisions of the said act, shall be made, until the further direction of Congress.

SEC. 3. *And be it further enacted*, That no patent shall be issued for lands under any decree of the said court, in any case in which the original warrant, concession, grant, or order of survey, has been withdrawn from the files of the said court, unless the person or persons claiming such patent shall first produce and deposit, in the office of the Commissioner of the General Land Office, the original warrant, concession, grant, or order of survey, on which such decree was founded, and on which the said court took jurisdiction under the said act; and no patent shall be issued until the further order of Congress, in any case, under the said act, until it shall satisfactorily appear to the Commissioner of the General Land Office that the warrant, concession, grant, or order of survey, on which any lands are claimed, under any decree of the said court, was, in fact, made or issued by or under the authority of the person or persons purporting to have made or issued the same, or unless the said warrant, concession, grant, or order of survey shall have been determined by the said court, on the hearing of a bill of review, to be genuine.

SEC. 4. *And be it further [enacted]*, That no entry, survey, or patent, shall, at any time hereafter, be made or issued under the said act, except in the name of the original party to any such decree, and on proof to the satisfaction of the officers, respectively, that the party applying is such original party, or is duly authorized by such original party, or his heirs, to make, receive, or require such entry, patent, or survey. (a)

SEC. 5. *And be it further enacted*, That, in all cases in which the said court shall, by decree or adjudication, under this act, review and annul any prior decree or adjudication therein, any lands which may have been heretofore entered, under any such prior decree or adjudication, shall, thereafter, be subject to sale or entry as other public lands of the United States may be. (b)

SEC. 6. *And be it further enacted*, That the President of the United States is hereby authorized to employ, on behalf of the United States, such counsel on their part, in the Territory of Arkansas, or elsewhere, to be associated for that purpose with the district attorney of the same Territory, as he may deem the interests of the United States may require, in the prosecution of such bills of review before the said court.

SEC. 7. *And be it further enacted*, That, in all cases, the party against whom the judgment or decree of the said court may be finally given, shall be entitled to an appeal, within one year from the time of its rendition, to the Supreme Court of the United States, which Court shall have power to review the decision of the court below, both on the law and the facts; and the court in Arkansas be, and the same is hereby required to spread upon the record the whole testimony, together with the reasons for their decision in each case, and to transmit to the Supreme Court of the United States the same, together with the original warrant, concession, grant, order of survey, or other evidence of title. (a)

SEC. 8. *And be it further enacted,* That each of the judges of the supreme court of the Territory of Arkansas shall, while in the discharge of their duties imposed by this act, be allowed at the rate of eight hundred dollars per annum, in addition to their salary as judges of the superior court for the Territory of Arkansas, which shall be in full for their services, to be paid out of any money in the Treasury, not otherwise appropriated.

Extra compensation to judges, \$800 per annum.

Appropriations.

(a) See Nos. 974, 998, 1002, 1007, 1067, 1155, 1163, 1168, 1172, 1187, 1192, 1223, 1233, 1241.

(b) See Nos. 421, 1160, 1200, 1230, 1236, 1245, 1255, 1258, 1261.

No. 1179.—AN ACT to authorize the selection of certain school lands in the Territory of Arkansas.

May 29, 1830.
Vol. 4, p. 418.

Be it enacted, &c., That, wherever the sixteenth sections in said Territory, either in whole, or in part, are now, or may hereafter be, included in private claims held by titles confirmed, or legally decided to be valid and sufficient, other lands equivalent thereto and most convenient to the same, may be selected in lieu thereof, under the direction of the Secretary of the Treasury; and the lands so selected shall be entered in the office of the register of the land district in which they may lie, and be, by such register, reported to the Commissioner of the General Land Office, as school lands selected under this act: *Provided,* That, before making any entry of such other lands, the case shall be made out to the satisfaction of the register and receiver of said district, agreeably to rules to be prescribed by the Commissioner of the General Land Office, for that purpose, showing that the sixteenth section, or a part thereof, has been included in the manner above mentioned. (a)

In certain case, other lands than the 16th sections may be selected.

(a) See Nos. 418, 969, 1175, 1199, 1203, 1204, 1219, 1227, 1229, 1237.

No. 1180.—AN ACT to provide for surveying certain lands in the Territory of Arkansas.

May 29, 1830.
Vol. 4, p. 418.

Be it enacted, &c., That the surveyor-general of the States of Illinois, Missouri, and Territory of Arkansas, be, and he is hereby, authorized to contract for, and pay, at the rate of four dollars per mile, for the surveying of such of the public lands in the Territory of Arkansas, which lie on the rivers, and are so thickly covered with cane, that contracts for executing the surveys thereof, by suitable persons, cannot be made at the existing price: *Provided,* That said surveyor-general shall certify to the Commissioner of the General Land Office, from time to time, the quantity of land, for the surveying of which, the additional compensation allowed by this act shall be contracted for, and the reasons, in his opinion requiring the increased allowance. (a)

Allowance of four dollars per mile for certain surveys.

(a) See No. 1189.

No. 1181.—AN ACT to extend the time for entering certain donation claims to land in the Territory of Arkansas.

Jan. 27, 1831.
Vol. 4, p. 434.

Be it enacted &c., That the provisions of the eighth and ninth sections of the act of Congress, approved twenty-fourth day of May, one thousand eight hundred and twenty-eight, entitled "An act to aid the State of Ohio in extending the Miami Canal from Dayton to Lake Erie, and to grant a quantity of land to said State to aid in the construction of the canals authorized by law, and for making donations of land to certain persons in Arkansas Territory;" and the provisions of the act entitled "An act restricting the location of certain land claims in the Territory of Arkansas, and for other purposes," approved sixth January, one thousand eight hundred and twenty-nine; and, also, the provisions of the act, entitled "An act to extend the time for locating certain donations in Arkansas," approved thirteenth January, one thousand eight hundred and thirty, be, and the same are hereby, continued in force for the period of two years, from the twenty-fourth May, one thousand eight hundred and thirty-one: *Provided,* That nothing in this act, or the foregoing acts, shall be so construed as to prevent the President of the United States from bringing the said lands in Arkansas into market under the existing laws; and all claims to donations under the before-recited act, which shall not have been presented and allowed by the

Certain provisions continued in force for two years from May 24, 1831.

Proviso.

proper authorities on or before the day which shall be fixed on by the President for the sale of said land, are hereby declared forfeited to the United States. (a)

(a) See Nos. 1173, 1174, 1176, 1195, 1201, 1230, 1243.

Feb. 10, 1831.
Vol. 11, p. 770.

No. 1182.—A PROCLAMATION by the President of the United States ordering persons to remove from public lands in Arkansas.

Preamble.

Whereas information has been transmitted to the President of the United States, by the governor of the Territory of Arkansas, that certain persons pretending to act under the authority of the Mexican Government, and without any lawful right or power derived from that of the United States, have attempted to, and do survey, for sale and settlement, a portion of the public lands in said Territory, and particularly in the counties of Lafayette, Sevier, and Miller, and have presumed to, and do administer to the citizens residing in said counties, the oath of allegiance to the said Mexican Government: and whereas such acts and practices are contrary to the law of the land, and the provisions of the act of Congress approved the third day of March, in the year of our Lord one thousand eight hundred and seven, and are offences against the peace and public tranquility of the said Territory, and the inhabitants thereof:—

Ordering persons to remove from the public lands in Arkansas.

Now, therefore, be it known that I, Andrew Jackson, President of the United States, by virtue of the power and authority vested in me, in and by the said act of Congress, do issue this my proclamation, commanding and strictly enjoining all persons who have unlawfully entered upon, taken possession of, or made any settlement on the public lands, in the said counties of Lafayette, Sevier, or Miller, or who may be in the unlawful occupation or possession of the same or any part thereof, forthwith to depart and remove therefrom: and I do hereby command and require the marshal of the said Territory of Arkansas, or other officer or officers acting as such marshal, from and after the fifteenth day of April, next, to remove or cause to be removed, all persons who may then unlawfully be upon, in possession of, or who may unlawfully occupy any of the public lands in the said counties of Lafayette, Sevier, or Miller, or who may be surveying or attempting to survey the same, without any authority therefor from the Government of the United States: and to execute and carry into effect this proclamation, I do hereby authorize the employment of such military force as may be necessary, pursuant to the act of Congress aforesaid, and warn all offenders in the premises, that they will be prosecuted and punished, in such other way and manner as may be consistent with the provisions and requisitions of the law in such case made and provided.

Done at the city of Washington, this tenth day of February, A. D. 1831, and of the Independence of the United States of America the fifty-fifth.

ANDREW JACKSON.

March 2, 1831.
Vol. 4, p. 473.

No. 1183.—AN ACT granting a quantity of land to the Territory of Arkansas for the erection of a public building at the seat of government of said Territory.

Ten sections granted.

Be it enacted, &c., That the legislature of the Territory of Arkansas be, and they are hereby authorized to select, or cause to be selected, a quantity of the unappropriated public lands in the Territory of Arkansas, not exceeding ten sections, and in portions not less than one quarter-section, which is hereby granted to said Territory, for the purpose of raising a fund for the erection of a public building at Little Rock, the seat of government of said Territory.

Authority to sell.

SEC. 2. *And be it further enacted,* That the legislature of said Territory be, and they are hereby authorized to adopt such measures for the sale of said tract of land, or any part thereof, at such times and manner, and convey the same by such deeds, as they shall deem expedient; and upon the presentation of such deeds of conveyance, as shall be adopted by said legislature and given to the purchasers, to the Commissioner of the General Land Office, it shall be the duty of the President to issue patents to the purchasers, as in other cases. (a)

(a) See Nos. 1193, 1204, 1206.

No. 1184.—AN ACT for the benefit of Percis Lovely, and for other purposes.

March 3, 1831
Vol. 6, p. 465.

Be it enacted, &c., That the tract of land not exceeding one half-section, including the present residence of Mrs. Percis Lovely, in Pope County, in the Territory of Arkansas, shall be reserved by the President of the United States from public sale, during the life-time of said Percis, and that she shall have the entire use and privilege of, and possession of the said half-section of land, for and during her life: *Provided*, That the said Percis Lovely, shall not commit, or permit any other person to commit, on said land, any voluntary waste.

Certain land secured to her.

Proviso.

SEC. 2. *And be it further enacted*, That the Secretary of the Treasury pay unto the said Percis Lovely or her legal representative, out of any money in the Treasury of the United States not otherwise appropriated, a sum equal to that for which her improvements upon the land secured to her by the treaty at Hiawassee, in one thousand eight hundred and seventeen, for life, were valued, and which improvements and land were taken from her by the treaty at Washington, of one thousand eight hundred and twenty-eight, with the Cherokee Indians: *Provided*, That before the money shall be paid the said Percis Lovely, she shall produce to the Treasury Department satisfactory evidence that the said sum of money has not been heretofore paid her by the Government of the United States, through the Indian Department: *And, provided, also*, That the half-section granted by this act, shall not interfere with, or include any lands lying within the limits of any reservation made by the last named treaty, made at Washington as aforesaid, in the year eighteen hundred and twenty-eight.

Payment for certain improvements, &c.

Proviso.

Proviso.

* * * * *

No. 1185.—AN ACT for the relief of Thomas Dennis, and the legal representatives of Asa Hartfield.

March 31, 1832.
Vol. 6, p. 463.

* * * * *

SEC. 2. *And be it further enacted*, That Asa Hartfield, his assignee or legal representative be, and he is hereby authorized to surrender the patent granted to said Asa Hartfield, bearing date the first of December eighteen hundred and thirty, for the southeast fractional quarter of section seven, and the northwest fractional quarter of section eight, north of the Arkansas River, in township seven south of range five west, containing ninety-two acres, and eighty-two hundredths of an acre: and to locate in lieu of it, the northeast quarter of section seven, and the northwest quarter of section eight on the south side of the Arkansas River. The said location having been made by the mistake of the register of the land office at Little Rock in said Territory of Arkansas. (a)

Asa Hartfield authorized to surrender a patent, &c.

(a) See No. 1198.

No. 1186.—AN ACT authorizing the governor of the Territory of Arkansas to lease the salt springs, in said Territory, and for other purposes.

April 20, 1832.
Vol. 4, p. 505.

Be it enacted, &c., That the salt springs lying on the Washita River, on Little River, and on Saline Creek, in said Territory of Arkansas, together with as many contiguous sections to each of said springs as shall be equal to one township, and every other salt spring which may be discovered in said Territory, with the section of one mile square which includes it, shall be reserved for the future disposal of the United States, and shall not be liable to be entered, located, or appropriated for any other purpose whatever.

Salt springs, &c., reserved from sale.

SEC. 2. *And be it further enacted*, That the governor of said Territory shall be, and is hereby, authorized to let out or lease said springs, for a term not exceeding five years; and the rents and profits arising from said springs shall be applied, by the legislature of said Territory, to the opening and improving such roads in said Territory, as said legislature may direct, and to no other purpose whatever. (a)

Governor authorized to lease.

SEC. 3. *And be it further enacted*, That the hot springs in said Territory, together with four sections of land including said springs, as near the centre thereof as may be, shall be reserved for the future disposal of the United States, and shall not be entered, located, or appropriated, for any other purpose whatever. (b)

Hot springs reserved.

(a) See Nos. 989, 1203, 1204, 1238.

(b) See Nos. 1253, 1258, 1259, 1260, 1262, 1263.

April 20, 1832.
Vol. 4, p. 506.

District attorney authorized to suspend proceedings, &c.

Proviso.

Proviso.

Lands to be withheld from sale.

No. 1187.—AN ACT providing for the postponement of the trial of certain cases now pending in the superior courts of Arkansas Territory, and for withholding from sale or entry certain lands in said Territory.

Be it enacted, &c., That the district attorney of the United States for the Territory or Arkansas be, and he is hereby, authorized and required to postpone until after the expiration of the next session of the Supreme Court of the United States, all further proceedings in any case which has been tried, or now is pending for trial, in the superior court of the Territory of Arkansas, upon which bills of review have been filed in said superior court on the part of the United States, under the provisions of an act, passed May the eighth, one thousand eight hundred and thirty, entitled "An act for further extending the powers of the judges of the superior court of the Territory of Arkansas, under the act of the twenty-sixth day of May, one thousand eight hundred and twenty-four, and for other purposes." *Provided, however,* That nothing in this act shall be applicable to any of the aforesaid cases now pending for trial on appeals in the Supreme Court of the United States: *And provided also,* That nothing herein contained shall prejudice the rights of any of the parties: *Provided, also,* That no extra compensation shall be allowed said judges until after the termination of the next term of the Supreme Court of the United States, after which the judges shall proceed to dispose of said cases under the provisions of said acts, and then be allowed the additional compensation from said time, until the cases are disposed of, or tried, by the said courts of Arkansas.

SEC. 2. *And be it further enacted,* That the President of the United States shall cause all the lands, the titles to which are involved in, or dependent upon, the trial of said bills of review, which are claimed by purchasers after the rendition of the original judgment, to be withheld from sale until the further order of Congress. (a)

(a) See Nos. 974, 998, 1002, 1007, 1067, 1155, 1163, 1168, 1172, 1178, 1192, 1223, 1233, 1241.

May 31, 1832.
Vol. 6, p. 493.

Claim to be reconsidered, &c.

No. 1188.—AN ACT for the relief of Thomas and James Massingill.

Be it enacted, &c., That the register and receiver of the land office at Little Rock, in the Arkansas Territory, be, and they are hereby, authorized to reconsider, hear, and determine the claim of Thomas and James Massingill, assignees of Thomas Morrow, for a donation of three hundred and twenty acres of land, under and by virtue of the act of Congress, approved the twenty-fourth [eighth] May, one thousand eight hundred and thirty; upon such proof as has, or may hereafter be adduced to them in support of the claim, dispensing with the affidavit of the said Thomas Morrow, the original claimant; and if, in their opinion, the said Thomas and James Massingill shall establish the right of the said Thomas Morrow, to a donation under the before-mentioned act, of three hundred and twenty acres of land, by other testimony than the affidavit of the said Morrow, the register and receiver shall award to the said Massingill, their heirs or assigns, the right to enter the said three hundred and twenty acres or land, according to the provisions of the act aforesaid.

June 15, 1832.
Vol. 4, p. 531.

Duties.

Maps, papers, &c., relating to lands in Arkansas to be delivered.

No. 1189.—AN ACT to create the office of surveyor of public lands for the Territory of Arkansas.

Be it enacted, &c., That a surveyor for the Territory of Arkansas shall be appointed, who shall have the same authority, and perform the same duties respecting the public lands and private land claims in the Territory of Arkansas as are now vested in, and required of, the surveyor of the lands of the United States in Missouri and Illinois.

SEC. 2. *And be it further enacted,* That it shall be the duty of the surveyor for Missouri and Illinois to deliver to the surveyor for the Territory of Arkansas, all the maps, papers, records, and documents relating to the public lands and private land claims in Arkansas, which may be in his office; and in every case where it shall be impracticable to make a separation of such maps, papers, records, and documents, without injury, it shall be his duty to cause copies thereof, certified by him, to be furnished to the surveyor of Arkansas, which copies shall be of the same validity as the originals.

SEC. 3. *And be it further enacted,* That the surveyor of Arkansas, to be appointed in pursuance of this act, shall establish his office at such place as the President of the United States may deem most expedient for the public service, and that he shall be allowed an annual salary of fifteen hundred dollars, and that he be authorized to employ one skilful draughtsman and two clerks, whose aggregate compensation shall not exceed eighteen hundred dollars per annum. (a)

(a) See No. 1180.

No. 1190.—AN ACT granting to the Territory of Arkansas one thousand acres of land, for the erection of a court-house and jail at Little Rock.

June 15, 1832.
Vol. 4, p. 531.

Be it enacted, &c., That there be granted to the Territory of Arkansas, a quantity of land not exceeding one thousand acres, contiguous to, and adjoining the town of Little Rock, for the erection of a court-house and jail in said town; which lands shall be selected by the governor of the Territory by legal subdivisions, and disposed of in such manner as the legislature may by law direct; and the proceeds of the lands so disposed of, shall be applied towards building a court-house and jail in said town of, Little Rock; and the surplus, if any, may be applied to such other objects as the legislature of said Territory may deem proper. (a)

(a) See Nos. 1197, 1211.

No. 1191.—AN ACT establishing land districts in the Territory of Arkansas.

June 25, 1832.
Vol. 4, p. 549.

Be it enacted, &c., That there shall be four land districts in the Territory of Arkansas, to be called as follows, viz: the Arkansas land district, the White River land district, the Red River land district, and the Fayetteville land district; and each of the aforesaid land districts shall be bounded as follows, to wit: The Arkansas land district shall include all the country embraced within the following boundaries: beginning on the west bank of the Mississippi River, at the mouth of the St. Francis River, and running thence due west with the base line to the northeast corner of range six, township one north and south of said base line; thence, due north with the dividing line between ranges five and six, to the northeast corner of township seven, north of said base line; thence, due west with the dividing line between townships seven and eight, to the northwest corner of range seventeen; and thence, due south with the dividing line between ranges seventeen and eighteen, to the Mississippi River. The White River district shall include all the country south of Missouri, which is not included in the Arkansas land district above described, and east of the dividing line between ranges seventeen and eighteen, as extended from the northwest corner of the said Arkansas land district, to the State of Missouri. The Red River land district shall include all the country in Arkansas lying west of the Arkansas land district, and south of the base line. The Fayetteville land district shall include the residue of the Territory of Arkansas, being all the country lying north of the Red River district, and west of the Arkansas and White River districts.

Four land districts established in the Territory of Arkansas.
Name and boundaries.

SEC. 2. *And be it further enacted,* That the land office for the Arkansas land district shall be at Little Rock; the land office for the White River district shall be at Batesville; the land office for the Red River district shall be at the town of Washington: and the land office for the Fayetteville district shall be at Fayetteville.

Land offices for the respective districts.

SEC. 3. *And be it further enacted,* That it shall be the duty of the Secretary of the Treasury, as soon as the same can be done, to cause the proper plats of the surveys to be deposited in the proper land offices.

Plats of surveys to be deposited, &c.

SEC. 4. *And be it further enacted,* That for each of the said districts created by this act, a register and receiver of public moneys shall be appointed, who shall give security in the same manner, and whose duties and authorities shall, in every respect, be the same, in relation to the lands which shall be disposed of at their offices, as are by law provided in relation to the registers and receivers of public moneys in the several offices established for the sale of the public lands. (a)

Registers and receivers to be appointed.

(a) See Nos. 1156, 1157, 1158, 1166, 1200, 1209, 1234, 1254.

June 25, 1832.
Vol. 6, p. 498.

Part of act of May 8, 1830, repealed so far as to allow entries to be made and patents issued to certain persons.

No. 1192.—AN ACT to confirm certain claims to land in the Territory of Arkansas.

Be it enacted, &c., That the second, third, and fourth sections of the act, approved eighth May, one thousand eight hundred and thirty, entitled "An act for further extending the powers of the judges of the superior court of the Territory of Arkansas, under the act of the twenty-sixth day of May, one thousand eight hundred and twenty-four, and for other purposes," be, and the same are hereby repealed, so far as to allow entries to be made and patents to be issued, to the following persons, for the number of arpens of land respectively affixed to the name of each, in the same manner as though the said act had never passed, viz:

To John Battiste Billiette, four hundred arpens. To Stephen Vaugine, four hundred arpens. To Harrold Stillwell, three hundred and twenty arpens. To Crittenden, Sevier, and Searcy, assignees of German Charbenau, three hundred and twenty arpens. To A. H. Sevier, four hundred arpens. To Looney Price, three hundred and twenty arpens. To Charles Refeld, four hundred arpens. To A. H. Sevier, assignee of Solomon Bodwell, four hundred and forty arpens. To Antoine Beauvois, four hundred and forty arpens. To Louis Placide, six hundred arpens. To John Stillwell, six hundred and forty arpens. To Noah Wall, six hundred and forty arpens. To Athanasse Racine, one hundred and sixty arpens. To Sylvanus Phillips, eight hundred arpens. To James Scull, four hundred and eighty arpens. To Don Francis Vaugine, eight hundred arpens. To James Scull, three hundred and twenty arpens. To Francis Vaugine, eight hundred arpens. To Terrence Farrelly and Mary his wife, assignees of John Lavergne, four hundred arpens. To Nathaniel Bassett, six hundred and forty arpens. To Joseph Bogy, three hundred and twenty arpens. To William Webber, three hundred and twenty arpens. To Marie Message, three hundred and twenty arpens. To William Patterson, three hundred and twenty arpens. To James Scull, assignee of John B. Duchassin, four hundred and eighty arpens. To A. H. Sevier, assignee of Sylvanus Phillips, who was assignee of Peter Edwards, four hundred arpens. To John B. Calliot, one hundred and sixty arpens. To William Russell, assignee of Sylvanus Phillips, assignee of Battiste Socia, six hundred and forty arpens. To James Scull, assignee of La Cource, one hundred and twenty arpens. To James Scull, assignee of Michael Gimblet, two hundred and forty arpens. To Charles Refeld's heirs, eight hundred arpens. To Joseph Stillwell's heirs, three hundred and twenty arpens. To John Henry Fooy, three hundred and twenty arpens (a)

(a) See Nos. 974, 998, 1002, 1007, 1067, 1155, 1163, 1168, 1172, 1178, 1187, 1223, 1233, 1241.

July 4, 1832.
Vol. 4, p. 563.

Governor to select land.

No. 1193.—AN ACT to authorize the governor of the Territory of Arkansas to select ten sections of land, granted to said Territory for the purpose of building a legislative house for said Territory, and for other purposes.

Be it enacted, &c., That all the authority and power is hereby vested in, and given to the governor of the Territory of Arkansas, which was vested in, and given to the legislature of the Territory of Arkansas, by an act of Congress of the second of March, one thousand eight hundred and thirty-one, by which a quantity of land not exceeding ten sections, was granted to said Territory for the purpose of raising a fund for the erection of a public building at Little Rock, the seat of government of said Territory.

United States not liable for expense in selecting, &c.

SEC. 2. *And be it further enacted,* That nothing herein contained shall be so construed as authorizing any expense on the part of the United States for selecting said lands, or building said house, other than the aforesaid grant of ten sections of the unappropriated public lands. (a)

(a) See Nos. 1183, 1204, 1206.

July 9, 1832.
Vol. 4, p. 565.

Heirs of Carlos de Villemont may submit evidence of claim.

Report thereon.

No. 1194.—AN ACT for the final adjustment of private land claims in Missouri.

SEC. 5. *And be it further enacted,* That it shall be lawful for the heirs of Carlos de Villemont to submit the evidence of their claim to a tract of land in Arkansas Territory, to a place called "Chicot Point," to the said recorder and commissioners, and it shall be the duty of said recorder and commissioners to report upon said claim in the manner that other claims provided for in this act are to be reported and proceeded upon.

No. 1195.—AN ACT further to extend the time for entering certain donation claims to land in the Territory of Arkansas.

Feb. 20, 1833.
Vol. 4, p. 619.

Be it enacted, &c., That the provisions of the eighth and ninth sections of the act of Congress, approved the twenty-fourth day of May, one thousand eight hundred and twenty-eight, entitled "An act to aid the State of Ohio in extending the Miami canal from Dayton to Lake Erie, and to grant a quantity of land to said State to aid in the construction of canals authorized by law, and for making donations of land to certain persons in Arkansas Territory," and the provisions of the act, entitled "An act restricting the location of certain land claims in the Territory of Arkansas, and for other purposes," approved the sixth of January, one thousand eight hundred and twenty-nine; and, also, the provisions of an act, entitled "An act to extend the time for locating certain donations in Arkansas," approved the thirteenth January, one thousand eight hundred and thirty, be, and the same are hereby, continued in force for the term of five years, from the twenty-fourth day of May, one thousand eight hundred and thirty-three: *Provided,* That nothing in this act, or the foregoing acts, shall be so construed as to prevent the President of the United States from bringing the said lands in Arkansas into market under the existing laws; and all claims to donations under the before-recited act, which shall not have been presented and allowed by the proper authorities on or before the day which shall be fixed on by the President for the sale of said land, are hereby declared forfeited to the United States. (a)

Time for entering donation claims to land extended.

Provided.

(a) See Nos. 1173, 1174, 1176, 1181, 1201, 1230, 1243.

No. 1196.—AN ACT supplementary to an act, entitled "An act concerning a seminary of learning in the Territory of Arkansas," approved the second of March, eighteen hundred and twenty-seven.

March 2, 1833.
Vol. 4, p. 661.

Be it enacted, &c., That the governor of the Territory of Arkansas shall select twenty of the sections of public land reserved by the act, entitled "An act concerning a seminary of learning in the Territory of Arkansas," approved the second of March, eighteen hundred and twenty-seven; and, after advertising and proclaiming them for sale in the several newspapers printed in Arkansas, and such other papers as he may deem expedient, he shall proceed to sell the same for cash, at some notorious place in Little Rock, to be designated in said advertisement, to the highest bidder.

Governor to select twenty sections, and to sell the same for cash.

SEC. 2. *And be it further enacted,* That the said governor shall proclaim and sell the same in quantities not exceeding one half-section, nor shall any sale be made for a price less than one dollar and twenty-five cents per acre. It shall be the duty of the governor to give to the purchaser a certificate of his purchase; and he shall also make a return to the register and receiver of the land office at Little Rock, of the quantity sold, the number of the section, range, township, and such other description of the land as he may deem necessary, the price for which each parcel sold, and to whom sold; and he shall also communicate to the legislature of the Territory of Arkansas a duplicate of the same, upon which a patent shall issue to the purchasers as in other cases of sales of public lands.

Quantities and price.

Certificates of purchase, &c.

SEC. 3. *And be it further enacted,* That the money arising from the sales of the said twenty sections, or such portions of them as may be sold from time to time, after paying the reasonable expenses incurred in making the selections of the two townships under the before-recited act, and the expenses of selling the same under this act, shall be applied to the erection of suitable buildings for a seminary of learning at such place as may be designated, and under such terms and conditions as may be prescribed by the legislature of Arkansas.

Application of proceeds, &c.

SEC. 4. *And be it further enacted,* That it shall be the duty of the governor of said Territory to pay the net proceeds of said sales into the office of the treasurer of said Territory, who shall be responsible for the same as other public moneys; and who shall not pay out the whole, or any part thereof, for any other objects or purposes than such as are provided for by the act of the second of March, eighteen hundred and twenty-seven, to which this is a supplement, and by this act, and in obedience to the laws of the legislature of said Territory, made to carry into effect the provisions of this act, and the said recited act.

Proceeds to be paid into the office of the treasurer of the Territory.

Governor to
lease remainder
of lands.

SEC. 5. *And be it further enacted*, That the governor of the said Territory shall be authorized to lease, for a term not exceeding five years, at any one time, the remainder of the two townships granted by the said act, and to apply the proceeds arising therefrom to the purposes aforesaid; and he shall render, once in two years, an account of the same to the legislature of said Territory, and pay over the money to the treasurer of said Territory. (a)

(a) See Nos. 989, 1169, 1203, 1204, 1237.

March 2, 1833.
Vol. 4, p. 667.

No. 1197.—AN ACT to authorize the governor of the Territory of Arkansas to sell the land granted to said Territory by an act of Congress approved the fifteenth of June, one thousand eight hundred and thirty-two, and for other purposes.

Patent for one
thousand acres
of land to issue.

Be it enacted, &c., That, whenever the governor of the Territory of Arkansas shall furnish to the Secretary of the Treasury a sufficient description of the boundaries of the thousand acres of land, granted by an act of Congress of the fifteenth of June, one thousand eight hundred and thirty-two, to the Territory of Arkansas, for the erection of a court-house and jail in the town of Little Rock, in the Territory aforesaid, it shall be the duty of the Secretary of the Treasury to cause a patent to be issued for said thousand acres of land, to the governor of Arkansas, and his successors in office, in trust, for the benefit of the Territory of Arkansas, for the purpose of erecting a court-house and jail at Little Rock.

Part of land to
be laid off in
town lots, and to
be sold.

SEC. 2. *And be it further enacted*, That the governor of the said Territory of Arkansas be, and he is hereby, fully empowered and authorized to lay off into town lots, conforming, as near as practicable to the present plan of the town of Little Rock, so much of said grant of a thousand acres of land as he may deem advisable so to be appropriated; and that he be further authorized to sell the same, from time to time, as the public interest may require; and the residue of said grant, which may not be laid off into town lots corresponding with the plan of the said town of Little Rock, he shall be authorized to dispose of, in such lots or parcels as he may deem advisable; but in no case shall he be authorized to sell, unless he shall give public notice of such sale by an advertisement in one or more newspapers printed in the Territory of Arkansas; and said sale shall be public at the court-house in the town of Little Rock.

Residue to be
disposed of in
lots or parcels,
after public no-
tice of sale.

Squares for the
State-house, and
court-house and
jail.

SEC. 3. *And be it further enacted*, That, in case suitable situations cannot be had, free of cost to the Territory, for the location of the State-house, as well as for the court-house and jail in the town of Little Rock, the governor aforesaid shall be, and he is hereby, fully authorized to select and lay off suitable squares for each of those buildings, within the addition hereunto authorized to be added to the town of Little Rock; and that the squares so selected and laid off shall be appropriated to the use of the respective buildings for which they may be designated, and for no other purpose whatsoever, for ever.

Deeds for lots
sold.

SEC. 4. *And be it further enacted*, That the governor shall execute deeds for the lots he may sell under the provisions of this act, to purchasers, so soon as the purchasers shall pay off entirely the amount they may have bid for any lot or lots, and all sales shall be for cash.

Proceeds to be
applied to erec-
tion of a court-
house and jail,
and surplus to
erection of gov-
ernor's house.

SEC. 5. *And be it further enacted*, That so soon as the governor aforesaid shall dispose of lots, he shall apply the proceeds of said sales to the erection of a good and substantial court-house and jail; and, after these shall have been completed, should there be any funds remaining, it shall be the duty of said governor, to apply the surplus thus remaining to the erection of a suitable and permanent house for the residence of the present and future governors of Arkansas, during their continuance in office. (a)

(a) See Nos. 1190, 1211.

June 18, 1834.
Vol. 6, p. 562.

No. 1198.—AN ACT for the relief of Asa Hartfield, his assignee or legal representative.

May surrender
a land patent and
locate other land.

Be it enacted, &c., That Asa Hartfield, his assignee, or legal representative, be, and he is hereby, authorized to surrender the patent granted to said Asa Hartfield, bearing date the first day of December, eighteen hundred and thirty, for the northeast fractional quarter of section seven, and the northwest fractional quarter of section eight, north of the Arkansas River, in township seven south, in range five west, con-

taining ninety-two acres and eighty-two hundredths of an acre; and to locate, in lieu of it, the northeast quarter of section seven, and the northwest quarter of section eight, on the south side of the Arkansas River. The said location having been made by the mistake of the register of the land office at Little Rock, in the Territory of Arkansas. (a)

(a) See No. 1185.

No. 1199.—AN ACT for the relief of the town of Fayetteville, in the Territory of Arkansas.

June 26, 1834.
Vol. 4, p. 685.

Whereas, the seat of justice of Washington County, in the Territory of Arkansas, was located and called Fayetteville prior to the public surveys being made, and when the lands were surveyed, the said town fell on section number sixteen, which, by law, is reserved for the use of schools; and whereas the said town is situated on the south half of the northeast quarter, and the north half of the southeast quarter, of section number sixteen, in township number sixteen, north of range number thirty, west of the fifth principal meridian, therefore,—

Preamble.

Be it enacted, &c., That the trustee of the school lands in and for township number sixteen, north of range thirty, west of the fifth principal meridian in the Territory of Arkansas, be, and he is hereby, authorized to select and have set apart for the use of schools in said township, one entire section of any of the unimproved lands in said township in lieu of section number sixteen; and when the said trustee shall make his selection, he shall file the same in the office of the register of the Fayetteville land office, and the land so selected shall be reserved from sale, and set apart for the use of schools; and that section number sixteen, in said township, shall be subject to sale and entry as other public lands now are. (a)

School lands to be set apart in lieu of section sixteen.

SEC. 2. *And be it further enacted*, That the south half of the northeast quarter, and the north half of the southeast quarter, of section number sixteen, in township number sixteen, north of range number thirty, west of the fifth principal meridian, in the Territory of Arkansas, be, and is hereby, granted to Lewis Evans, Larkin Newton, Samuel Vaughan and John Wooddy, commissioners of said county, in trust for the use of said county; and that the Secretary of the Treasury be authorized to issue a patent for the same; and that the said commissioners shall have power to lay off the said land into town lots, and sell and dispose of the same, and make good and sufficient titles to purchasers; and they shall appropriate the proceeds of the sales of the said lots to the erection of a court-house and jail in the town of Fayetteville, for the use of said county.

Lands granted in trust for the county.

Appropriation of proceeds to erection of a court-house and jail.

(a) See Nos. 418, 989, 1175, 1179, 1203, 1204, 1219, 1227, 1229, 1237.

No. 1200.—AN ACT to establish an additional land office in Arkansas.

June 26, 1834.
Vol. 4, p. 687.

Be it enacted, &c., That so much of the public lands of the United States in the Territory of Arkansas as lies east of a line commencing on the southern boundary of the Territory where it is intersected by the dividing line between ranges five and six, west of the meridian, thence with said range line to the dividing line between townships ten and eleven south; thence east with the said line to the dividing line between ranges two and three west, thence north with said dividing line to the base line, thence east with said base line to the dividing line between ranges two and three east—thence north with said line to the dividing line between townships ten and eleven north, thence east with said dividing line to the dividing line between ranges six and seven east,—thence north with said dividing line to the northern boundary of the Territory of Arkansas, shall form a new land district, to be called the Mississippi land district; and for the sale of the public lands within the district aforesaid, there shall be a land office established at the town of Helena, in the county of Phillips, in the Territory aforesaid.

Land office to be established at Helena.

SEC. 2. *And be it further enacted*, That there shall be a register and receiver appointed to said office, to superintend the sale of the public land in said district, who shall reside at the town of Helena aforesaid, give security in the same manner and sums, and whose compensation, emoluments, duties, and authorities, shall, in every respect, be the same in relation to lands to be disposed of at said office, as are or may be

Register and receiver to reside at Helena.

by law provided in relation to the registers and receivers of public money in the several offices established for the sale of the public lands. (a)

Land not sold at public, may be entered and sold at private sale.

SEC. 3. *And be it further enacted*, That all such public lands embraced within the district created by this act, which shall have been offered for sale to the highest bidder at any land office in said Territory, pursuant to any proclamation of the President of the United States, and which lands remain unsold at the taking effect of this act, shall be subject to be entered and sold at private sale by the proper officers of the office hereby created, in the same manner, and subject to the same terms and upon like conditions as the sale of said land would have been subject to in the said several land offices hereinbefore mentioned, had they remained attached to the same. (b)

(a) See Nos. 1156, 1157, 1158, 1166, 1191, 1209, 1234, 1254.

(b) See Nos. 421, 1160, 1178, 1230, 1236, 1245, 1255, 1258, 1261.

June 28, 1834.
Vol. 4, p. 707.

No. 1201.—AN ACT further to provide for the location of certain lands in the Territory of Arkansas.

Proviso of act of January 13, 1830, repealed.

Be it enacted, &c., That the proviso to the act entitled "An act to extend the time for locating certain donations in Arkansas," approved the thirteenth day of January, eighteen hundred and thirty, be, and the same is hereby, repealed, and all locations of said claims made, or to be made, shall in no wise be affected by said proviso. (a)

(a) See Nos. 1173, 1174, 1176, 1181, 1195, 1230, 1243.

June 28, 1834.
Vol. 6, p. 571.

No. 1202.—AN ACT for the relief of William Weedon.

Authorized to enter a tract of land.

Be it enacted, &c., That William Weedon be, and he is hereby, authorized to enter any other quarter-section of unappropriated land within the Arkansas military district of bounty lands, instead of the northeast quarter of section twenty-two, of township five north, and range twelve west; for which a patent issued to said Weedon on the twenty-seventh day of November, one thousand eight hundred and twenty-one, but was not received by him until said quarter-section was sold for the taxes due thereon: *Provided*, the said Weedon shall first surrender said patent, and file his relinquishment of all claim to said quarter-section in the General Land Office.

Proviso.

June 15, 1836.
Vol. 5, p. 50.

No. 1203.—AN ACT for the admission of the State of Arkansas into the Union, and to provide for the due execution of the laws of the United States, within the same, and for other purposes.

Preamble.

Whereas, the people of the Territory of Arkansas, did, on the thirtieth day of January in the present year by a convention of delegates, called and assembled for that purpose, form for themselves a constitution and State government, which constitution and State government, so formed, is republican: and whereas, the number of inhabitants within the said Territory exceeds forty-seven thousand seven hundred persons, computed according to the rule prescribed by the Constitution of the United States; and the said convention have, in their behalf, asked the Congress of the United States to admit the said Territory into the Union as a State, on an equal footing with the original States:

Arkansas admitted into the Union.

Be it enacted, &c., That the State of Arkansas shall be one, and is hereby declared to be one of the United States of America, and admitted into the Union on an equal footing with the original States, in all respects whatever, and the said State shall consist of all the territory included within the following boundaries, to wit: beginning in the middle of the main channel of the Mississippi River, on the parallel of thirty-six degrees north latitude, running from thence west, with the said parallel of latitude, to the Saint Francis River; thence up the middle of the main channel of said river to the parallel of thirty-six degrees thirty minutes north; from thence west to the southwest corner of the State of Missouri; and from thence to be bounded on the west, to the north bank of Red River, by the lines described in the first article of the treaty between the United States and the Cherokee nation of Indians west of the Mississippi, made and concluded at the

Boundaries.

city of Washington, on the 26th day of May, in the year of our Lord one thousand eight hundred and twenty-eight; and to be bounded on the south side of Red River by the Mexican boundary line, to the northwest corner of the State of Louisiana; thence east, with the Louisiana State line, to the middle of the main channel of the Mississippi River; thence up the middle of the main channel of the said river, to the thirty-sixth degree of north latitude, the point of beginning. (a)

SEC. 8. *And be it further enacted*, That the State of Arkansas is admitted into the Union upon the express condition, that the people of the said State shall never interfere with the primary disposal of the public lands within the said State, nor shall they levy a tax on any of the lands of the United States within the said State; and nothing in this act shall be construed as an assent by Congress to all or to any of the propositions contained in the ordinance of the said convention of the people of Arkansas, nor to deprive the said State of Arkansas of the same grants, subject to the same restrictions, which were made to the State of Missouri by virtue of an act entitled "An act to authorize the people of the Missouri Territory to form a constitution and State Government, and for the admission of such State into the Union, on an equal footing with the original States, and to prohibit slavery in certain Territories," approved the sixth day of March, one thousand eight hundred and twenty. (b)

(a) See Nos. 762, 1076, 1156, 1161, 1171, 1204, 1239, 1257.

(b) See Nos. 418, 969, 1156, 1169, 1175, 1179, 1186, 1196, 1199, 1204, 1219, 1227, 1229, 1237, 1238.

NO. 1204.—AN ACT supplementary to the act entitled "An act for the admission of the State of Arkansas into the Union, and to provide for the due execution of the laws of the United States within the same, and for other purposes."

June 23, 1836.
Vol. 5, p. 58.

Be it enacted, &c., That in lieu of the propositions submitted to the Congress of the United States, by an ordinance passed by the convention of delegates at Little Rock, assembled for the purpose of making a constitution for the State of Arkansas, which are hereby rejected; and that the following propositions be, and the same are hereby, offered to the general assembly of the State of Arkansas, for their free acceptance or rejection, which if accepted, under the authority granted to the said general assembly, for this purpose, by the convention which framed the constitution of the said State, shall be obligatory upon the United States: (a)

Propositions offered for the acceptance of the general assembly of Arkansas.

First. That section numbered sixteen in every township, and when such section has been sold, or otherwise disposed of, other lands equivalent thereto, and as contiguous as may be, shall be granted to the State for the use of the inhabitants of such township for the use of schools. (b)

Sections of land for schools.

Second. That all salt springs not exceeding twelve in number, with six sections of land adjoining to each, shall be granted to the said State, for the use of said State, the same to be selected by the general assembly thereof on or before the first day of January, one thousand eight hundred and forty; and the same, when so selected, to be used under such terms, conditions, and regulations, as the general assembly of the said State shall direct: *Provided*, That no salt spring, the right whereof is now vested in any individual or individuals, or which may hereafter be confirmed or adjudged to any individual or individuals, shall, by this section, be granted to said State: *And provided also*, That the general assembly shall never sell or lease the same, at any one time, for a longer period than ten years, without the consent of Congress; and that nothing contained in the act of Congress entitled "An act authorizing the governor of the Territory of Arkansas to lease the salt springs in said Territory, and for other purposes," or in any other act, shall be construed to give to the said State any further or other claim whatsoever, to any salt springs or lands adjoining thereto, than to those hereby granted: (c)

Salt springs.

Provido.

Provido.

Third. That five per cent. of the nett proceeds of the sale of lands lying within the said State, and which shall be sold by Congress, from and after the first day of July next, after deducting all expenses incident to the same, shall be reserved for making public roads and canals within the said State, under the direction of the general assembly thereof. (d)

Percentage upon lands sold, to be applied to roads and canals.

Completion of the public buildings. *Fourth.* That a quantity of land not exceeding five sections be, and the same is hereby, granted to the said State in addition to the ten sections which have already been granted, for the purpose of completing the public buildings of the said State at Little Rock; which said five sections shall, under the direction of the general assembly of said State, be located, at any time, in legal divisions of not less than one quarter-section, in such townships and ranges as the general assembly aforesaid may select, on any of the unappropriated lands of the United States within the said State. (e)

Seminary of learning. *Fifth.* That the two entire townships of land which have already been located by virtue of the act entitled "An act concerning a seminary of learning in the Territory of Arkansas," approved the second of March, one thousand eight hundred and twenty-seven, are hereby vested in and confirmed to the general assembly of the said State, to be appropriated solely to the use of such seminary by the general assembly: (f)

Proviso. *Provided,* That the five foregoing propositions herein offered, are on the condition that the general assembly or legislature of the said State, by virtue of the powers conferred upon it by the convention which framed the constitution of the said State, shall provide by an ordinance irrevocable without the consent of the United States, that the said general assembly of said State shall never interfere with the primary disposal of the soil within the same by the United States, nor with any regulations Congress may find necessary for securing the title in such soil to the bona-fide purchasers thereof; and that no tax shall be imposed on lands the property of the United States; and that in no case shall non-resident proprietors be taxed higher than residents; and that the bounty lands granted, or hereafter to be granted, for military services during the late war, (g) shall, whilst they continue to be held by the patentees or their heirs, remain exempt from any tax laid by order or under the authority of the State, whether for State, county, township, or any other purpose, for the term of three years from and after the date of the patents respectively. (h)

(a) See Nos. 762, 1076, 1156, 1161, 1171, 1203, 1239, 1257.

(b) See Nos. 418, 989, 1175, 1179, 1199, 1203, 1219, 1227, 1229, 1237.

(c) See Nos. 989, 1186, 1203, 1238.

(d) See Nos. 989, 1203.

(e) See Nos. 1183, 1193, 1206.

(f) See Nos. 989, 1169, 1196, 1203, 1237.

(g) See Nos. 458, 1154, 1159, 1167, 1177, 1216, 1240, 1245.

(h) See Nos. 1156, 1203.

June 23, 1836.
Vol. 6, p. 643.

No. 1205.—AN ACT to revive and extend the provisions of an act passed on the twenty-fourth May, eighteen hundred and twenty-four, entitled "An act for the relief of the representatives of John Donelson, Stephen Heard, and others."

[Act authorizing entry of 5,000 acres of land in Mississippi or Alabama revived and extended to Louisiana or Arkansas. See MISSISSIPPI, No. 1321,]

Jan. 16, 1838.
Vol. 5, p. 208.

No. 1206.—AN ACT to ratify and confirm certain official acts of John Pope, late governor of Arkansas.

The locations, &c., of John Pope, of ten sections of land granted by Congress to Arkansas for a State-house, under authority vested in him by an act of July 4, 1832, confirmed.

Proviso.
Further proviso.

Certain lands in the Mississippi land district, Arkansas,

Be it enacted, &c., That the locations, sales, and transfers of John Pope, late governor of Arkansas, of a quantity of the public land, not exceeding ten sections, (or six thousand four hundred acres,) which was granted by Congress to Arkansas to build a State-house at Little Rock, the seat of government of Arkansas, to sundry citizens of Arkansas, in pursuance of an authority vested in him by an act of Congress of the fourth day of July, in the year eighteen hundred and thirty-two, be, and the same are hereby, ratified and confirmed: *Provided,* Said location, sales, and transfers, were in conformity to legal subdivisions, be those divisions fractional quarter-sections or not: *And provided, also,* That the gross amount of acres of land thus located, sold, and transferred, for the purpose aforesaid, does not exceed six thousand four hundred acres; and the President of the United States is hereby authorized and directed to cause patents to issue to said purchasers, their heirs, or their legal representatives, for the late governor's several locations, sales, and transfers, whenever the applications are properly made by said purchasers or their legal representatives.

SEC. 2. *And be it further enacted,* That the northeast and southwest quarters of section twenty-seven, township eighteen south, range one west, the southeast quarter of section twenty-eight, same township and

range, the southwest quarter of section fifteen, township nineteen excepted from south, range one west, the northwest and southeast quarters of section the provisions of nine, same township and range, all in the Mississippi land district, State of Arkansas, be, and the same are hereby, excepted from the provisions of this act. (a)

(a) See Nos. 1183, 1193, 1204.

No. 1207.—AN ACT for the relief of James Barrett.

June 28, 1838.
Vol. 6, p. 726.

Be it enacted, &c., That James Barrett be, and he is hereby, entitled to a preference in becoming the purchaser, at private sale; of the east half of the southwest quarter of section seven, the east half of the southeast quarter of section six, and the east half of the northwest quarter of section eighteen, all in township eleven north, in range eleven east, within the limits of the Batesville district, in Arkansas, on the same terms and conditions as are provided by law for the other public lands in the said district at private sale; and on the presentation of the receiver of public moneys in said district for the purchase money thereof, to the Secretary of the Treasury, the said James Barrett shall be entitled to patents from the United States.

Right of pre-emption granted to him.

No. 1208.—AN ACT for the relief of Jacob Brown, confirming his purchases of certain land in Arkansas.

July 5, 1838.
Vol. 6, p. 727.

Be it enacted, &c., That the entries of the following-described tracts or parcels of land permitted to be made by the registers and receivers of the Little Rock and Helena land districts, under the belief that said tracts of land had been proclaimed and offered at public sale, and under circumstances which satisfied said officers that said tracts of land were in market, and legally liable to be so entered, to wit: The east fractional half of the southeast quarter of section thirty-six; the southeast quarter of the northeast quarter of section thirty-six; the northeast quarter of section thirty-six; the west half of the southeast quarter of section thirty-six; the southeast quarter of section twenty-five, and the northeast quarter of section twenty-five, of fractional township ten, south of range one west, in the State of Arkansas, be, and the same are hereby, confirmed; and patents shall issue to the purchasers as in other cases, any law to the contrary notwithstanding.

Land entries confirmed, and patents to issue.

No. 1209.—AN ACT to establish additional land offices in the States of Louisiana and Arkansas.

July 7, 1838.
Vol. 5, p. 287.

SEC. 5. And be it further enacted, That all that portion of the present Fayetteville district which lies south of the line between townships eleven and twelve north of the principal base line, shall form a separate land district, and be called the western land district, and the land office for said district shall be established at the county seat of Johnson County or such other place as the President of the United States shall designate.

What portion of Fayetteville district shall be called the Western district.

SEC. 6. And be it further enacted, That there shall be appointed by the President, by and with the advice and consent of the Senate, under the existing laws, a register and receiver in and for said district, whose compensation shall be the same as provided for other registers and receivers; and it shall be the duty of the Secretary of the Treasury, as soon as it can be done, to cause the necessary tract-books, plats, maps and surveys of the public lands, in said district, to be filed in said office; and all applications for entries in said district shall be made as heretofore prescribed by law at the land offices now established, until the first day of June next. (a)

Register and receiver to be appointed. Their compensation. The necessary books, plats, &c. of the public lands to be filed in said office.

(a) See Nos. 1156, 1157, 1158, 1166, 1191, 1200, 1234, 1254.

No. 1210.—AN ACT for the relief of Henry Wilson, confirming purchases of certain land in Arkansas.

Feb. 12, 1839.
Vol. 6, p. 749.

Be it enacted, &c., That the entries of the following-described tracts or parcels of land permitted to be made by the register of the land office at Helena, on the twenty-fifth day of February, one thousand eight hundred and thirty-five, under the belief that the said tracts of

Land entries confirmed.

land had been proclaimed and offered at public sale, and under circumstances that satisfied the land officers that the said tracts of land were in market and legally liable to be so entered; viz: the east fractional part of the southwest quarter of fractional section one; the northeast, northwest, and southeast fractional quarters, and the east half of the southwest quarter of fractional section twelve; and the northwest, southwest, and southeast fractional quarters of fractional section thirteen, all in township ten south, of range one west, in the State of Arkansas, be, and the same are hereby, confirmed, and patents shall issue to the purchaser as in other cases, any law to the contrary notwithstanding.

March 2, 1839.
Vol. 6, p. 752.

No. 1211.—AN ACT for the relief of William W. Stevenson and Joseph Henderson.

In lieu of certain land to which W. W. Stevenson had established his right of pre-emption, authorized to enter, &c.

Be it enacted, &c., That in lieu and full consideration of seventy-six acres, part of the southwest quarter of section two, township one north, and range twelve west, in the Territory of Arkansas, to which the said William W. Stevenson had established his right of pre-emption, but which was embraced in the location of a thousand-acre tract granted by Congress for the erection of a court-house and jail at Little Rock, in said Territory, the said Stevenson is hereby authorized to enter at the proper land office, a quarter section of any of the unappropriated and unimproved land in said Territory; and upon making such entry, a patent shall issue as in other cases, conveying to the said Stevenson a fee-simple title to the same.

In lieu of certain land to which J. Henderson had established his right of pre-emption, authorized to enter, &c.

SEC. 2. *And be it further enacted,* That in lieu and in full consideration of the southwest quarter of section one, in township one north, in range twelve west, (south of the Arkansas River,) in the Territory of Arkansas, to which Joseph Henderson had established his right of pre-emption, but which was enclosed in the location of a thousand-acre tract granted by Congress for the erection of a court-house and jail at Little Rock, in said Territory, the said Henderson, his heirs or assigns, is hereby authorized to enter at the proper land office a quarter-section of any of the unappropriated and unimproved land in said Territory; and upon making such entry, a patent shall issue as in other cases, conveying to said Henderson, his heirs or assigns, a fee-simple title to the same. (a)

(a) See Nos. 1190, 1197.

March 2, 1839.
Vol. 6, p. 753.

No. 1212.—AN ACT for the relief of James Middleton Tuttle, of Arkansas.

Upon filing a relinquishment of certain land, patents shall issue for a certain other tract.

Be it enacted, &c., That as soon as James Middleton Tuttle shall file in the office of the Commissioner of the General Land Office a relinquishment of all his right, title, claim, and interest in and to the south half of the southeast quarter or section number six, in township number sixteen north, of range number thirty west of the fifth principal meridian, to the United States of America, the President of the United States be, and he is hereby, authorized to issue a patent to the said James Middleton Tuttle for the south half of the southwest quarter of section number five, in township number sixteen north, of range number thirty west of the fifth principal meridian, situate in the district of lands subject to sale at Fayetteville, Arkansas Territory.

March 2, 1839.
Vol. 6, p. 758.

No. 1213.—AN ACT for the relief of John Davlin.

On surrendering a patent for certain land, may enter another tract.

Be it enacted, &c., That John Davlin, of Arkansas, or his legal representative, be, and he is hereby, authorized to surrender a patent to the United States, issued to him for three hundred and twenty acres of land, covering the southwest quarter of section thirty-five, and the southeast quarter of section thirty-four, in township two south, in range sixteen west of the fifth principal meridian, of which he is the rightful owner; and, when the said Davlin, or his representative, shall surrender the said patent, and reconvey the aforesaid quarter-section to the United States, in such form as the Commissioner of the General Land Office shall designate, it shall be lawful for the said Davlin, or his legal representative, to enter, in lieu of the land by this act authorized to be surrendered, three hundred and twenty acres of any of the unappropriated lands subject to private entry, in the State of Arkansas: *Provided,* The selection is made within two years from the passage of this act. (a)

Proviso.

(a) See No. 1231.

No. 1214.—AN ACT for the relief of John Borey, of Arkansas.March 3, 1839.
Vol. 6, p. 780.

Be it enacted, &c., That it shall be the duty of the register and receiver of the land office at Little Rock, in the State of Arkansas, to surrender to John Borey, or his legal representative, the patent certificate (number two hundred and seventy-eight) which was issued to said John Borey, for the east half of fractional section twenty-three, in township one, south, and in range eleven west; and that said register and receiver be authorized to consider said land as other public land, and that the said John Borey, or his legal representative, be authorized to locate, in any land office in Arkansas, three hundred and twenty acres of any of the public land, conformably to legal subdivisions: *Provided*, The same be subject to private entry. And for the land thus located, it shall be the duty of the proper register and receiver to issue a patent certificate, and for the President to issue a patent therefor: *Provided, further*, That in case the title to the lands for which his patent certificate was taken have become vested in him, he shall reconvey the same to the Government, and produce to the Secretary of the Treasury satisfactory evidence that said lands so reconveyed are free from encumbrance.

Patent certificate to be surrendered to him, &c.

Proviso.

Proviso

No. 1215.—AN ACT for the relief of William Marcus, of Arkansas.March 3, 1839.
Vol. 6, p. 790.

Be it enacted, &c., That William Marcus be, and he is hereby, authorized to enter one quarter-section of land, by legal subdivisions, of any of the vacant unappropriated and unoccupied public lands in the State of Arkansas, at the price of one dollar and twenty-five cents per acre, in the proper land office.

Authorized to enter a tract of land.

No. 1216.—AN ACT to revive an act authorizing certain soldiers in the late war to surrender the bounty lands drawn by them and to locate others in lieu thereof, and for other purposes.May 27, 1840.
Vol. 5, p. 380.

Be it enacted, &c., That the act of the twenty-second of May, one thousand eight hundred and twenty-six, entitled "An act authorizing certain soldiers in the late war to surrender the bounty lands drawn by them, and to locate others in lieu thereof," be, and the same is hereby, revived and continued in force for the term of five years; and the provisions of the above recited act shall be, and are hereby, extended to those having like claims in the States of Illinois and Missouri. (a)

Act of May 22, 1826, revived and continued for five years.

(a) See Nos. 458, 1154, 1159, 1167, 1177, 1204, 1240, 1245.

No. 1217.—AN ACT for the relief of James L. Cochran.June 1, 1840.
Vol. 6, p. 801.

Be it enacted, &c., That James L. Cochran, of the State of Arkansas, be, and he is hereby, authorized to enter any vacant, unappropriated, and unoccupied quarter-section of land in the Batesville land district, in the State of Arkansas, at one dollar and twenty-five cents per acre, in lieu of the land he now resides on, it being part of the sixteenth section of township eighteen, range thirteen west, in the county of Izard, of said State.

Authorized to enter certain land, in lieu of that on which he now resides.

No. 1218.—AN ACT for the relief of the legal representatives of William Williams, senior, deceased.July 20, 1840.
Vol. 6, p. 810.

Be it enacted, &c., That John Campbell, James Campbell, Hamilton C. Campbell, and Mary Williams, be, and they are hereby, authorized to relinquish to the United States, in such form as the Commissioner of the General Land Office shall prescribe, the southwest quarter of section fifteen, of township ten north, range four east, in the tract appropriated (by the acts appropriating and granting land to the late Army of the United States, passed on and since the sixth day of May, eighteen hundred and twelve) for military bounties in the Territory of Arkansas; and upon such relinquishment being made as aforesaid, and upon satisfactory proof being also made to the said Commissioner that the said John Campbell, James Campbell, Hamilton C. Campbell, and Mary Williams, are the only legal representatives of the said William Williams, deceased, the said John Campbell, James Campbell, Hamilton C. Campbell, and Mary Williams, shall be, and they are hereby, authorized to enter any other quarter-section of land, in the State of Arkansas, which shall be liable to entry at private sale.

Authorized to relinquish and enter land.

Feb. 27, 1841.
Vol. 6, p. 819.

No. 1219.—AN ACT for the relief of Mary Tucker.

Certain land to be reserved for the use of schools, in lieu of other land.

Be it enacted, &c., That the west half of section fifteen, in township six south, of range two east, in the Territory of Arkansas, be, and the same is hereby, reserved from sale, and appropriated for the use of schools in said township, in lieu of the southwest fractional quarter and the southeast fractional quarter of section sixteen, in that township; and the east half of section number fifteen, in township number six south, of range two east, shall be taken and held, in all respects, and for the same purposes, as the aforesaid fractional quarters of section number sixteen would have been held and taken if this act had been passed, the majority of the citizens of said township having agreed to the same. (a)

Mary Tucker, the occupant, authorized to enter said land.

SEC. 2. *And be it further enacted,* That Mary Tucker, the occupant upon said fractional quarter-sections, be, and is hereby, authorized to enter the same within six months from the passage of this act, at one dollar and twenty-five cents per acre, in the proper land office. (b)

(a) See Nos. 418, 989, 1175, 1179, 1199, 1203, 1204, 1227, 1229, 1237.

(b) See No. 1228.

March 19, 1842.
Vol. 5, p. 471.

No. 1220.—AN ACT to authorize the governors of the States of Illinois, Arkansas and Missouri to cause to be selected the lands therein mentioned.

[Governors of Arkansas, &c., may select grants of land for internal improvement, made by act of September 4, 1841. See ILLINOIS, No. 410.]

March 3, 1841.
Vol. 6, p. 823.

No. 1221.—AN ACT for the relief of Joseph Bogy.

Authorized to locate a tract of land.

Be it enacted, &c., That Joseph Bogy, to whom was confirmed a concession of three hundred and twenty arpens of land in Arkansas, by mistake for eight hundred arpens, be, and he is hereby, empowered to locate four hundred and eighty arpens of land on any land subject to sale at private entry, in the State of Arkansas.

April 14, 1842.
Vol. 6, p. 827.

No. 1222.—AN ACT for the relief of James Smith, of Arkansas.

Authorized to enter certain land, in lieu of land sold him by mistake.

Be it enacted, &c., That James Smith, of the State of Arkansas, be, and he is hereby, authorized to enter without payment, in lieu of one fractional quarter and two half-quarters of land, which the register and receiver of the land office at Little Rock sold to him through mistake, and upon which he made valuable improvements, but which lands were subsequently sold and patented by the United States to James Brown, three hundred and twenty acres of the unappropriated and unimproved lands of the United States in the Helena land district, in the State of Arkansas.

Aug. 11, 1842.
Vol. 5, p. 505.

No. 1223.—AN ACT to settle the title to certain tracts of land in the State of Arkansas.

Owners of certain Spanish and French land claims authorized to enter the same.

Proviso.

Be it enacted &c., That each and every owner of a Spanish or French land claim, in the State of Arkansas, which was submitted for adjudication to the superior court of the late Territory of Arkansas, and by that court confirmed, being subsequent purchasers for a valuable consideration, is hereby authorized, within twelve months from the passage of this act, to enter, respectively, the land covered by the said claim, at the minimum price, under such regulations as the Commissioner of the General Land Office shall prescribe: *Provided,* That no such entry shall be made, except of lands mentioned and described in the original claim, or of such tracts as have been located in pursuance of the act of the twenty-sixth of May, eighteen hundred and twenty-four, entitled "An act enabling the claimants to lands within the limits of the State of Missouri and Territory of Arkansas to institute proceedings to try the validity of their claims," or any act reviving the same; nor unless the owner of the claim shall make and subscribe an oath, before the register or receiver of the land office of the district in which the lands lie, which oath such register or receiver is hereby authorized to administer, that at the time he became the owner of the claim he had no notice or knowledge that the claim was fraudulent, or that the same rested

upon any forged warrant, grant, order of survey, or other evidence of title. And, for every entry made under the provisions of this act, a patent shall issue, as though no Spanish or French claim had ever been entered upon said land. (a)

Patents to issue.

(a) See Nos. 974, 993, 1002, 1007, 1067, 1153, 1163, 1165, 1172, 1178, 1187, 1192, 1233, 1241.

No. 1224.—AN ACT for the relief of Rees B. Ward.

Aug. 11, 1842.
Vol. 6, p. 850.

Be it enacted, &c., That upon the surrender, by Rees B. Ward, his heirs or legal representatives, to be cancelled, to the Secretary of the Treasury, of the certificate, or the patent, if the same shall have been issued, for the northwest quarter of the northwest quarter of section numbered twenty-three, in the township numbered nine, north of range numbered twenty-six west, in the district of land subject to sale at Johnson Courthouse, in the State of Arkansas, entered by the said Rees B. Ward by mistake, he or they shall be authorized to enter in lieu thereof, a like quantity of public land subject to private entry in said district, and not in the occupancy of any bona-fide settler: *Provided*, That said land so entered by the said Rees B. Ward by mistake shall not previous to such surrender have been sold to a bona-fide purchaser.

Authorized, on surrendering certain land, to enter another tract.

Proviso.

No. 1225.—AN ACT for the relief of William Wynn.

Aug. 11, 1842.
Vol. 6, p. 851.

Be it enacted, &c., That William Wynn, of Lafayette County, and State of Arkansas, be permitted a pre-emptive right of entry at private sale, on payment in cash of one dollar and twenty-five cents per acre, in the proper land office of the district where the lands are situate, of any portion, or all of the lands contained in the several sections and fractional sections, designated as sections eighteen, nineteen, twenty, seventeen, eight, nine, ten, seven, three, four, twenty-one, twenty-seven, twenty-eight, twenty-nine, thirty, thirty-three, thirty-four, of township sixteen south, range twenty-six west, and sections seventeen, twenty, twenty-eight, twenty-nine, nineteen, thirty, of township fifteen south, range twenty-five west, situate in the State of Arkansas; said entries to be made under the following rules and limitations, viz; that said entries be made within two years from the date of this act; and that they be not made so as to interfere with any improved land, claimed by others than himself, or by pre-emption right or claim of title; and if less than all of said lands liable to entry shall be taken up by said Wynn, no less subdivision shall be so entered than by the entire section or fractional section, or of all the lands subject to sale in any such section where part may have been otherwise disposed of.

Allowed a pre-emptive right in the entry of certain land.

No. 1226.—AN ACT for the relief of Richard Higgins.

Aug. 11, 1842.
Vol. 6, p. 853.

Be it enacted, &c., That it shall be lawful for Richard Higgins, or his legal representatives, to prove his pre-emption right, at the proper land office, to the northwest fractional section, number twenty, in township number four, north of range number eight east, containing one hundred and forty-seven acres and sixty-five hundredths of an acre, situate in the county of Crittenden, in the State of Arkansas, and upon such proof, to the satisfaction of the proper land officers, and the payment of the minimum price, per acre, for the land, a patent shall issue to the said Richard Higgins, or his legal representatives, for the same: *Provided*, Said proof and payment shall be made within one year from the date of this act: *And provided, also*, That said Richard Higgins shall prove to the satisfaction of the Secretary of the Treasury that he is the bona-fide vendee of the claim of John J. Bowie under a grant from the Spanish authorities to the same.

May prove his pre-emption right to certain land, &c.

Proviso.

Proviso.

No. 1227.—AN ACT to authorize the inhabitants of township eight north, range thirty-two west, in the State of Arkansas, to enter a section of land in lieu of the sixteenth section in said township, upon condition that the same is surrendered to the United States for military purposes.

Aug. 29, 1842.
Vol. 6, p. 868.

Be it enacted, &c., That the inhabitants of township eight north, range thirty-two west, in the State of Arkansas, be and they are hereby, authorized to enter one section of land in quarter-sections, of any lands that may be subject to entry in the Fayetteville land district; which lands, so entered, shall be held by the inhabitants of said township upon

Authorized to enter certain land.

Proviso.

the same conditions, and for the same purposes, as they now hold the sixteenth section in said township, upon the condition that the inhabitants of said township, under the authority of the State of Arkansas, shall relinquish to the United States the sixteenth section in township eight north, range thirty-two west, under such regulations as the Secretary of the Treasury may prescribe: *Provided*, The President of the United States shall deem it expedient to obtain said section sixteen in township eight, range thirty-two, to be used for military purposes. (a)

(a) See Nos. 418, 989, 1175, 1179, 1199, 1203, 1204, 1219, 1229, 1237.

Jan. 23, 1843.
Vol. 6, p. 881.

No. 1228.—AN ACT to revive the act for the relief of Mary Tucker.

Act of Feb. 27, 1841, revived and continued for 12 months.
Proviso.

Be it enacted, &c., That the act for the relief of Mary Tucker, approved on the twenty-seventh day of February, eighteen hundred and forty-one, be, and the same is hereby, revived and continued in force for the term of twelve months from the passage of this act: *Provided*, it shall appear to the satisfaction of the Commissioner of the General Land Office, that the said Mary Tucker was not advised of the limitation of said act, until after the six months within which she was required by said act to enter the land occupied by her had expired. (a)

(a) See No. 1219.

Feb. 15, 1843.
Vol. 5, p. 600.

No. 1229.—AN ACT to authorize the legislatures of the States of Illinois, Arkansas, Louisiana, and Tennessee, to sell the lands heretofore appropriated for the use of schools in those States.

[See ILLINOIS, No. 418.]

March 1, 1843.
Vol. 5, p. 603.

No. 1230.—AN ACT to perfect the titles to lands south of the Arkansas River, held under New Madrid locations, and pre-emption rights under the act of one thousand eight hundred and fourteen [fifteen].

Certain locations of warrants, issued under act of February 17, 1815, perfected.

Be it enacted, &c., That the locations heretofore made of warrants issued under the act of the seventeenth of February, one thousand eight hundred and fifteen, entitled "An act for the relief of the inhabitants of the late county of New Madrid, in Missouri Territory, who suffered by earthquakes" of those locations which were made on the south side of the Arkansas River, if made in pursuance of the provisions of that act in other respects, shall be perfected into grants, in like manner as if the Indian title to the lands on the south side of said river had been completely extinguished at the time of the passage of said act.

Owners of warrants authorized to enter other lands, in certain cases.

SEC. 2. *And be it further enacted*, That in all cases in which the locations so made on the south side of the Arkansas River may have been sold, and the lands thus located under the act aforesaid have been appropriated by the United States, the owner of the warrants issued under the provisions of the act aforesaid shall have a right to enter, within twelve months after the passage of this act, without payment, the like quantity of the public lands, of any of the unappropriated and unimproved lands in the State of Arkansas, corresponding with the legal subdivisions.

Settlers south of the Arkansas entitled to benefits of pre-emption act of 1815.

SEC. 3. *And be it further enacted*, That every settler on the public lands south of the Arkansas River shall be entitled to the same benefits accruing under the provisions of the pre-emption act of one thousand eight hundred and fourteen [fifteen], as though they had resided north of said river. (a)

Certain Cherokee pre-emption confirmed.

SEC. 4. *And be it further enacted*, That all Cherokee pre-emptions which have been or may be located upon any of the surveyed lands of the United States, south of the base line in Arkansas, shall be confirmed, and patents shall issue thereon as in other cases.

(a) See Nos. 421, 1160, 1179, 1200, 1236, 1245, 1255, 1258, 1261.

(b) See Nos. 1173, 1174, 1176, 1181, 1195, 1201, 1243.

March 3, 1843.
Vol. 6, p. 901.

No. 1231.—AN ACT to revive an act entitled "An act for the relief of John Davlin."

Act of March 2, 1839, revived.

Be it enacted, &c., That the act entitled "An act for the relief of John Davlin," approved on the second day of March, eighteen hundred and thirty-nine, be, and the same is hereby, revived in favor of the said John Davlin, or his legal representatives, and shall continue in force twelve months from and after the passage of this act. (a)

(a) See No. 1213.

No. 1232.—AN ACT for the relief of Eaton Nance.

June 15, 1844.
Vol. 6, p. 917.

Whereas it satisfactorily appears that on the second day of July, eighteen hundred and twenty-one, a patent issued from the General Land Office of the United States, where the same was duly recorded, to Eaton Nance for a certain tract of land containing one hundred and sixty acres, being the southeast quarter of section thirty-four, of township ten north in range eight west in the tract appropriated by certain acts of Congress for military bounties, in the Territory of Arkansas—which said patent was duly countersigned by Josiah Meigs, Commissioner of the General Land Office, but by accident was not signed by the President of the United States. Therefore,

Preamble.

Be it enacted, &c., That said patent shall be deemed and held to be perfect and valid to all intents and purposes as though the same had been signed by the President of the United States on the day of the date thereof; and that all questions or disputes that may arise in relation to said land or the title to the same, shall be decided and determined as though said patent had been perfect from the day of its date.

Patent to be held as perfect from the day of its date.

No. 1233.—AN ACT to provide for the adjustment of land claims within the States of Missouri, Arkansas, and Louisiana, and in those parts of the States of Mississippi and Alabama south of the thirty-first degree of north latitude, and between the Mississippi and Perdido rivers.

June 17, 1844.
Vol. 5, p. 676.

[See MISSOURI, No. 1067.]

No. 1234.—AN ACT to organize a new land district in the southern part of the State of Arkansas.

Feb. 20, 1845.
Vol. 5, p. 725.

Be it enacted, &c., That the section of country in the southern part of the State of Arkansas, south of the base line, and east of the meridian, comprised within the following boundaries, to wit: Between the line dividing ranges five and six on the east, the line dividing ranges twenty and twenty-one on the west, the dividing line between townships ten and eleven on the north, and the State line on the south, be made to form a separate district, to be called the Champagne district, the seat of the land office for which shall be at the town of Champagne, and be subject to removal by the President of the United States, whenever, in his judgment, it may be proper so to do.

Champagne land district established.

Office to be in Champagne.

SEC. 2. *And be it further enacted,* That there shall be a register and receiver of public moneys appointed for said land district, who shall give security in the same manner and in the same sums, and whose duties and authority, compensation and emoluments, shall in every respect be the same, in relation to the lands to be disposed of in said district, as are or may be provided by law in relation to the registers and receivers of public money in the several offices established for the sale of the public lands.

Register and receiver to be appointed, &c.

SEC. 3. *And be it further enacted,* That it shall be the duty of the registers and receivers for the districts of land subject to sale at Little Rock and Washington, in the State aforesaid, under the direction of the Commissioner of the General Land Office, to transfer to the register and receiver for the district hereby created all the proper evidences, documents, records, and township plats, in relation to lands heretofore sold or subject to sale at those offices, respectively, which fall within the limits of the district hereby created. (a)

Registers, &c., at Little Rock and Washington to transfer documents, &c.

SEC. 4. *And be it further enacted,* That this act shall take effect and be in force from and after the expiration of three calendar months from the date of the passing hereof.

Act to take effect in three months.

(a) See Nos. 1156, 1157, 1158, 1166, 1191, 1200, 1209, 1254.

No. 1235.—AN ACT for the relief of David F. Williamson, of Pope County, State of Arkansas.

April 27, 1846.
Vol. 9, p. 650.

Be it enacted, &c., That the entry of the northwest quarter of section number twenty-nine, in township number eight north of range number twenty west, in the name of David F. Williamson, made at the Johnson Courthouse land office, in the State of Arkansas, per certificate number six hundred and seventeen of that office, be, and the same is hereby, confirmed, and a patent shall issue thereon as in other cases.

Entry of section in the name of David F. Williamson confirmed, and a patent to issue.

July 11, 1846.
Vol. 9, p. 37.

No. 1236.—AN ACT to authorize the President of the United States to sell the reserved mineral lands in the States of Illinois and Arkansas, and Territories of Wisconsin and Iowa, supposed to contain lead ore.

[See ILLINOIS, No. 421.]

July 29, 1846.
Vol. 9, p. 42.

No. 1237.—AN ACT giving the assent of Congress to a change of the compact entered into between the United States and the State of Arkansas, on her admission into the Union.

Preamble.

Whereas the Congress of the United States, by an act supplementary to an act for the admission of the State of Arkansas into the Union, and to provide for the due execution of the laws of the United States within the same, and for other purposes, approved June twenty-third, eighteen hundred and thirty-six, in the fifth proposition made to the State of Arkansas, and which was subsequently accepted by the general assembly of the State of Arkansas, provided that the two entire townships of land located by virtue of an act of Congress entitled "An act concerning a seminary of learning in the Territory of Arkansas," approved the second day of March, eighteen hundred and twenty-seven, which, by the first-recited act of Congress, were vested in and confirmed to the general assembly of the State of Arkansas, to be appropriated solely to the use and support of a university in said State: And whereas the general assembly of the State of Arkansas have, by their resolution, approved December eighteen, eighteen hundred and forty-four, asked for a modification of said compact, to authorize said general assembly to appropriate said seventy-two sections of land to common school purposes: Therefore—

Assent of Congress given to a change of the compact, so as to authorize the appropriation of 72 sections of land for school purposes, &c.

Be it enacted, &c., That the assent of Congress be, and is hereby, given to the change in said compact asked for by the said general assembly, so as to authorize and empower the general assembly of the State of Arkansas, and they are hereby authorized and empowered, to appropriate said seventy-two sections of land (a) for the use and benefit of common schools in said State, or in any other mode the said general assembly may deem proper, for the promotion of education in said State. (b)

(a) See Nos. 989, 1169, 1196, 1203, 1204.

(b) See Nos. 418, 989, 1175, 1179, 1199, 1203, 1204, 1219, 1227, 1229.

March 3, 1847.
Vol. 9, p. 161.

No. 1238.—AN ACT to give the consent of Congress to the sale of certain salt-spring lands heretofore granted to the States of Michigan, Illinois, and Arkansas.

* * * * *

Sale of saline lands granted to State of Arkansas authorized.

SEC. 3. *And be it further enacted,* That the State of Arkansas shall be, and hereby is, authorized to sell, in such manner as the legislature of said State shall by law direct, the whole or any part of the saline lands, granted to said State by virtue of an act supplementary to the act entitled "An act for the admission of the State of Arkansas into the Union, and to provide for the due execution of the laws of the United States within the same, and for other purposes," approved June twenty-third, eighteen hundred and thirty-six. (a)

(a) See Nos. 989, 1186, 1203, 1204.

Feb. 15, 1848.
Vol. 9, p. 211.

No. 1239.—AN ACT to confirm the boundary line between Missouri and Arkansas.

[See MISSOURI, No. 1076.]

July 25, 1848.
Vol. 9, p. 251.

No. 1240.—AN ACT to revive an act authorizing certain soldiers in the late war [with Great Britain] to surrender the bounty lands drawn by them, and to locate others in lieu thereof.

Certain soldiers in the late war with Great Britain may surrender the bounty lands drawn by them in Arkansas, and receive other lands in lieu thereof.
Proviso.

Be it enacted, &c., That it shall and may be lawful for any soldier in the late war with Great Britain, to whom bounty land has been allotted and patented in the State of Arkansas, which was and is unfit for cultivation, to surrender said patent, and to receive in lieu thereof the same quantity of any of the public land subject to private entry as he may select: *Provided,* That before receiving such new land, it shall be proved, to the satisfaction of the Commissioner of the General Land Office, that the land so allotted and patented to said soldier is unfit for culti-

vation, and that said soldier has never disposed of his interest in said land by any sale of his own, and that the same had not been taken or disposed of for his debts due to any individual, and that he shall release all his interest in the same to the United States, in such way as said Commissioner shall prescribe; and such surrender and location shall be made within five years from the passing of this act. (a)

Limitation of time.

(a) See Nos. 458, 1154, 1159, 1167, 1177, 1204, 1216, 1245.

No. 1241.—AN ACT to settle the title to certain tracts of land in the State of Arkansas.

March 3, 1849.
Vol. 9, p. 400.

Be it enacted, &c., That each and every owner of a Spanish or French land claim, or any part thereof, in the State of Arkansas, which was submitted for adjudication to the superior court of the late Territory of Arkansas, and by that court confirmed, being a bona-fide subsequent purchaser for a valuable consideration, is hereby authorized to enter, within one year from the passage of this act, the land covered by said claim, or less quantity thereof, to be embraced in any legal subdivision, at the minimum price, under such regulations as the Commissioner of the General Land Office shall prescribe: *Provided, however*, That the owner aforesaid shall be an occupant or cultivator of said land.

Owners of certain Spanish or French claims authorized to enter the lands covered by said claims.

Proviso.

SEC. 2. *And be it further enacted*, That, after the lapse of two years from the approval of this act, the sale of the lands embraced by the decrees of the superior court of Arkansas, which were on bills of review reversed, and which the President was, by the act of eighteen hundred and thirty-two, required to reserve from sale, which may then remain the property of the United States, shall no longer be reserved from sale by the President of the United States, and that the same may be brought into market under the existing laws. (a)

After two years, lands reserved from sale may be sold.

(a) See Nos. 974, 998, 1002, 1007, 1067, 1155, 1163, 1168, 1172, 1178, 1187, 1192, 1223, 1233.

No. 1242.—AN ACT for the relief of Joseph P. Williams.

July 29, 1850.
Vol. 9, p. 799.

Be it enacted, &c., That the entry of the southwest quarter of section twenty-five, in township number thirteen, north, of range ten east, in the district of lands subject to sale at Helena, in the State of Arkansas, by Joseph P. Williams, of the county of Mississippi and State aforesaid, be, and the same is hereby, confirmed: *Provided*, That, before this act shall take effect, the said Joseph P. Williams shall surrender to the Commissioner of the General Land Office Choctaw certificate number thirteen, and Cherokee pre-emption certificate number eighty-eight, or, in such manner as the said Commissioner shall direct, secure the Government against the validity of the same, and prove, also, that there are no conflicting claims to said land.

Land title confirmed to J. P. Williams.
Proviso.

No. 1243.—AN ACT in relation to donations of land to certain persons in the State of Arkansas.

Aug. 30, 1850.
Vol. 9, p. 446.

Be it enacted, &c., That all claims to donations of land in the State of Arkansas, which have been adjudicated and allowed by the register and receiver of the proper land district, in virtue of the provisions of the eighth section of the act of Congress, approved on the twenty-fourth of May, one thousand eight hundred and twenty-eight, entitled "An act to aid the State of Ohio in extending the Miami Canal from Dayton to Lake Erie, and to grant a quantity of land to said State, to aid in the construction of canals authorized by law, and for making donations of land to certain persons in Arkansas Territory," and of other subsequent acts of Congress on the same subject, and which have not been located and patent certificates issued therefor, or which, having been so located, were compelled to yield to other and prior rights, either in whole or in part, and not subsequently relocated within the period fixed by law, may be entered with the register of any one of the land offices in the State of Arkansas, at any time within one year from the passage of this act, in the same manner, and under the same restrictions and conditions, as existed prior to the twenty-fourth day of May, one thousand eight hundred and thirty-eight, the day last limited for the location of these claims: *Provided*, That no such claim shall be so located against which fraud has been or may be alleged until all objection thereto shall have been removed, to the satisfaction of the Commissioner of the General Land Office. (a)

Claims to donations of land in Arkansas, allowed by the proper officer, which have yielded to other rights and not relocated, may be entered within one year, under certain restrictions.

Proviso.

(a) See Nos. 1173, 1174, 1176, 1181, 1195, 1201, 1230.

Sept. 28, 1850. Vol. 9, p. 519. No. 1244.—AN ACT to enable the State of Arkansas and other States to reclaim the "swamp lands," within their limits.

Swamp and overflowed lands unfit for cultivation granted to Arkansas.

Secretary of the Interior to make out list and plats of said land, and when requested, to grant a patent vesting the same in the State of Arkansas.

Proviso.

When the greater part of a subdivision is unfit for cultivation, it shall be included in said plats; if the greater part be not of that character, it shall be excluded.

Provisions of this act extended to other States possessing such lands.

Be it enacted, &c., That to enable the State of Arkansas to construct the necessary levees and drains to reclaim the swamp and overflowed lands therein, the whole of those swamp and overflowed lands, made unfit thereby for cultivation, which shall remain unsold at the passage of this act, shall be, and the same are hereby, granted to said State.

SEC. 2. *And be it further enacted,* That it shall be the duty of the Secretary of the Interior, as soon as may be practicable after the passage of this act, to make out an accurate list and plats of the lands described as aforesaid, and transmit the same to the governor of the State of Arkansas, and, at the request of said governor, cause a patent to be issued to the State therefor; and on that patent, the fee-simple to said lands shall vest in the said State of Arkansas, subject to the disposal of the legislature thereof: *Provided, however,* That the proceeds of said lands, whether from sale or by direct appropriation in kind, shall be applied, exclusively, as far as necessary, to the purpose of reclaiming said lands by means of the levees and drains aforesaid.

SEC. 3. *And be it further enacted,* That in making out a list and plats of the land aforesaid, all legal subdivisions, the greater part of which is "wet and unfit for cultivation," shall be included in said list and plats; but when the greater part of a subdivision is not of that character, the whole of it shall be excluded therefrom.

SEC. 4. *And be it further enacted,* That the provisions of this act be extended to, and their benefits be conferred upon, each of the other States of the Union in which such swamp and overflowed lands, known as designated as aforesaid, may be situated.

July 12, 1852. Vol. 10, p. 14.

No. 1245.—AN ACT to release from reservation, and restore to the mass of public lands, certain lands in the State of Arkansas.

Undisposed lands reserved in Arkansas for bounties for war of 1812 to be sold.

Proviso for actual settlers.

Be it enacted, &c., That the several tracts of land in the State of Arkansas, heretofore reserved for the satisfaction of military bounties under the war of eighteen hundred and twelve, (a) and which now remain undisposed of, be, and they are hereby released from such reservation, and restored to the mass of public lands, to be disposed of in the same manner as any other unoffered public land: *Provided,* That the person who may, at the date of this act, be an actual settler on any one of said tracts, and who, but for the reservation thereof, might have claimed the right of preëmption thereto, under act of fourth September, eighteen hundred forty-one, be, and is hereby authorized to enter the same, or any subdivision thereof, upon making proof of said right, and paying the minimum price per acre, within a year after the passage of this act, or prior to the day fixed for the public sale of the tract.

Sales and locations of said lands inadvertently made confirmed.

SEC. 2. *And be it further enacted,* That all sales of said land, or location thereof by military warrants, (other than those of the war of eighteen hundred and twelve,) which have been inadvertently permitted to be made, and which are in all other respects fair and regular, except as embracing reserved land not offered at public sale, be, and the same are hereby confirmed, and patents thereon which have been issued shall be as legal and valid as if said lands had been released from reservation, and offered at public sale prior to such sales or locations. (b)

Unsatisfied warrants may be located elsewhere.

SEC. 3. *And be it further enacted,* That all of said warrants which have not been satisfied, may be located on any of the public lands subject to private entry at the time of the location of the same. (a)

(a) See Nos. 458, 1154, 1159, 1167, 1177, 1204, 1216, 1240.

(b) See Nos. 421, 1160, 1178, 1200, 1230, 1236, 1255, 1258, 1261.

Feb. 9, 1853. Vol. 10, p. 155.

No. 1246.—AN ACT granting the right of way and making a grant of land to the States of Arkansas and Missouri, to aid in the construction of a railroad from a point on the Mississippi, opposite the mouth of the Ohio River, via Little Rock, to the Texas boundary near Fulton, in Arkansas, with branches to Fort Smith and the Mississippi River.

[See MISSOURI, No. 1086.]

No. 1247.—AN ACT for the relief of the legal representatives or assignees of James Lawrence.

April 19, 1858.
Vol. 11, p. 528.

Be it enacted, &c., That the assignees or legal representatives of James Lawrence, to whom was issued donation certificate number three hundred and six, under the eighth section of the act of twenty-fourth of May, eighteen hundred and twenty-eight, entitled "An act to aid the State of Ohio in extending the Miami Canal from Dayton to Lake Erie, and to grant a quantity of land to said State to aid in the construction of the canals authorized by law, and for making donations of land to certain persons in Arkansas Territory," shall be authorized to relocate the same upon any of the public lands in the State of Arkansas, subject to entry at a minimum of not more than one dollar and twenty-five cents per acre: *Provided*, That said certificate shall be found to have been issued in conformity with the said eighth section of the act of twenty-fourth of May, eighteen hundred and twenty-eight, and shall be located upon legal subdivisions of land of not less than one quarter-section.

James Lawrence, &c., may relocate donation certificate.

Proviso.

No. 1248.—AN ACT making a grant of lands in alternate sections to aid in the construction and extension of the Iron Mountain Railroad, from Pilot Knob, in the State of Missouri, to Helena, in Arkansas.

July 4, 1866.
Vol. 14, p. 83.

[See MISSOURI, No. 1120.]

No. 1249.—AN ACT to revive and extend the provisions of "An act granting the right of way and making a grant of land to the States of Arkansas and Missouri, to aid in the construction of a railroad from a point upon the Mississippi, opposite the mouth of the Ohio River, via Little Rock, to the Texas boundary, near Fulton, in Arkansas, with branches to Fort Smith and the Mississippi River," approved February 9, 1853, and for other purposes.

July 28, 1866.
Vol. 14, p. 338.

[See MISSOURI, No. 1122.]

No. 1250.—A RESOLUTION extending the time for the completion of the first twenty miles of the Cairo and Fulton Railroad.

March 3, 1869.
Vol. 15, p. 349.

[See MISSOURI, No. 1131.]

No. 1251.—AN ACT to amend an act entitled "An act to extend the time for the Little Rock and Fort Smith Railroad Company to complete the first section of twenty miles of said road," approved April ten, eighteen hundred and sixty-nine.

March 8, 1870.
Vol. 16, p. 76.

[See MISSOURI, No. 1133.]

No. 1252.—A RESOLUTION extending the time for the completion of the first section of twenty miles of the Cairo and Fulton Railroad.

May 6, 1870.
Vol. 16, p. 376.

[See MISSOURI, No. 1134.]

No. 1253.—AN ACT in relation to the Hot Springs reservation in Arkansas.

June 11, 1870.
Vol. 18, p. 149.

Be it enacted, &c., That any person claiming title, either legal or equitable, to the whole or any part of the four sections of land constituting what is known as the Hot Springs reservation in Hot Springs County, in the State of Arkansas, may institute against the United States in the Court of Claims, and prosecute to final decision, any suit that may be necessary to settle the same: *Provided*, That no such suits shall be brought at any time after the expiration of ninety days from the passage of this act, and all claims to any part of said reservation upon which suit shall not be brought under the provisions of this act within that time shall be forever barred.

Persons claiming title to the Hot Springs reservation in Arkansas may bring suit in the court of claims to settle the same; suits to be brought within ninety days.

SEC. 2. *And be it further enacted*, That all such suits shall be by petition in the nature of a bill in equity, and shall be conducted and determined in all respects, except as herein otherwise provided, according to the rules and principles of equity practice and jurisprudence in the other courts of the United States; and for the purposes of this act the Court of Claims is hereby invested with the jurisdiction and powers exercised by courts of equity so far as may be necessary to give full relief in any suit which may be instituted under the provisions of this act.

Form of suits and how conducted.

Jurisdiction of Court of Claims.

- Notice of suit.** SEC. 3. *And be it further enacted,* That notice of every suit authorized by this act shall be executed by the delivery of a true copy thereof with a copy of the petition to the Attorney-General, whose duty it shall be, for and in behalf of the United States, to demur to or answer the petition therein, within thirty days after the service of such process upon him, unless the court shall for good cause shown grant further time for filing the same.
- Attorney-General to answer, &c., within thirty days.**
- Proceedings where parties claim same lands under different rights, and institute different suits.** SEC. 4. *And be it further enacted,* That if two or more parties claiming the same lands under different rights shall institute separate suits under the provisions of this act, such suits shall be consolidated and tried together, and the court shall determine the question of title and grant all proper relief as between the respective claimants as well as between each of them and the United States.
- If the decision is in favor of the United States, court to appoint a receiver.** SEC. 5. *And be it further enacted,* That if, upon the final hearing of any cause provided for in this act, the court shall decide in favor of the United States, it shall order such lands into the possession of a receiver to be appointed by the court, who shall take charge of and rent out the same for the United States, until Congress shall by law direct how the same shall be disposed of, which said receiver shall execute a sufficient bond to be approved by the court, conditioned for the faithful performance of his duties as such, render a strict account of the manner in which he shall have discharged said duties, and of all moneys received by him as a receiver as aforesaid, which shall be by said court approved or rejected accordingly as it may be found correct or not, and pay such moneys into the Treasury of the United States; and he shall receive such reasonable compensation for his services as said court may allow, and in case of a failure of said receiver to discharge any duty devolving upon him as such, the court shall have power to enforce the performance of the same by rule and attachment. But if the court shall decide in favor of any claimant, both as against the United States and other claimants, it shall so decree, and proceed by proper process to put such successful claimant in possession of such portion thereof as he may be thus found to be entitled to, and upon the filing of a certified copy of such decree with the Secretary of the Interior, he shall cause a patent to be issued to the party in whose favor such decree shall be rendered for the lands therein adjudged to him: *Provided,* That either party may within ninety days after the rendition of any final judgment or decree in any suit authorized by this act, carry such suit by appeal to the Supreme Court of the United States, which Court is hereby vested with full jurisdiction to hear and determine the same on such appeal, in the same manner and with the same effect as in cases of appeal in equity causes from the circuit courts of the United States: *And provided further,* That in case the judgment or decree of the Court of Claims in any such suit shall be adverse to the United States, the Attorney-General shall prosecute such appeal within the time above prescribed; and the taking of an appeal from any such judgment or decree shall operate as a supersedeas thereof until the final hearing and judgment of the Supreme Court thereon. (a)
- Duty of receiver. Bond. Account.**
- Compensation. How may be compelled to do his duty.**
- If decision is in favor of claimant, he is to be put in possession.**
- Patent to be issued.**
- Either party may appeal to Supreme Court.**
- Jurisdiction of the Court.**
- Duty of Attorney-General in case of appeal.**
- Effect of appeal.**

(a) See Nos. 1186, 1258, 1259, 1260, 1262, 1263.

July 14, 1870.
Vol. 16, p. 277.

No. 1254.—AN ACT to discontinue the Clarksville, Arkansas, land district and the establishment of an additional land district in that State.

Clarksville land district, Arkansas, discontinued.

Be it enacted, &c., That the district of lands now subject to disposal at Clarksville, Arkansas, be, and the same is hereby, discontinued from and after the first day of July, eighteen hundred and seventy, and that thereafter the said land district be divided as follows: Beginning at the corner common to townships twelve and thirteen north, ranges seventeen and eighteen west, and running thence west between said townships to the corner common to townships twelve and thirteen north, ranges twenty-six and twenty-seven west; thence south with said range line to the corner common of townships nine and ten north; thence west on the line between said townships to the western boundary of the State, the lands lying north of said division line, and within the limits of the said Clarksville district, to be subject to disposal at Harrison, Arkansas, and those lands lying south of said division line within said district to be subject to disposal at Dardanelle, Arkansas, to be known and designated as the Harrison and Dardanelle land district.

Harrison and Dardanelle land district established in Arkansas.

SEC. 2. *And be it further enacted*, That the President of the United States is hereby authorized to appoint, by and with the advice and consent of the Senate of the United States, or during the recess thereof, and until the end of the next ensuing session, a register and receiver for each of said land districts, who shall be required to reside at the site of their respective offices, who shall be subject to the same laws and responsibilities, and whose compensation and fees shall be respectively the same per annum as are now allowed by law to other land offices in said State. (a)

(a) See Nos. 1156, 1157, 1158, 1166, 1191, 1200, 1209, 1234.

No. 1255.—AN ACT to provide for the disposition of useless military reservations. [Provisions for sale of military reservations at Forts Wayne and Smith, &c. See WASHINGTON TERRITORY, No. 2305.]

Feb. 24, 1871.
Vol. 16, p. 430.

No. 1256.—AN ACT to authorize the issuance of college scrip to the State of Arkansas, and for other purposes.

Dec. 13, 1872.
Vol. 17, p. 397.

Whereas, the State of Arkansas has complied with all the provisions and requirements of an act entitled "An act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts," approved July second, eighteen hundred and sixty-two, and other acts amendatory thereto: Therefore,

Preamble.

Be it enacted, &c., That the Secretary of the Department of the Interior be, and he is hereby, authorized and directed to issue at once, and deliver to the secretary of the State of Arkansas, the full amount of college scrip, to wit, one hundred and fifty thousand acres, and ninety thousand acres to the secretary of the board of trustees of the Florida State Agricultural College of the State of Florida, as provided for in said act, to be used and appropriated to and for the purposes and objects in said act specified, and none other: *Provided*, That no scrip as aforesaid shall be delivered to the authorities of the State of Arkansas until said State shall have made some satisfactory arrangement by which the bonds of said State, principal and interest, now held by the United States as Indian trust funds, shall be funded in new bonds authorized to be issued by said State for this purpose.

College scrip to be issued to the State of Arkansas and to the Florida State Agricultural College.

State of Arkansas to first fund certain old bonds.

No. 1257.—AN ACT to establish the boundary line between the State of Arkansas and the Indian country.

March 3, 1875.
Vol. 18, p. 476.

Be it enacted, &c., That the boundary line between the State of Arkansas and the Indian country, as originally surveyed and marked, and upon which the lines of the surveys of the public lands in the State of Arkansas were closed, be, and the same is hereby, declared to be the permanent boundary line between the said State of Arkansas and the Indian country.

Boundary line between Arkansas and the Indian country.

SEC. 2. That the Secretary of the Interior shall, as soon as practicable, cause the boundary line, as fixed in the forgoing section, to be retraced and marked in a distinct and permanent manner; and if the original line, when retraced, shall be found to differ in any respect from what the boundary line would be if run in accordance with the provisions of the treaties establishing the eastern boundary line of the Choctaw and Cherokee Nations, then the surveyors shall note such variations and compute the area of the land which in that case would be taken from the State of Arkansas or the Indian country, as the case may be; and the Secretary of the Interior shall also cause any monuments set up in any former survey indicating any line at variance with the survey provided for in this act to be obliterated. (a)

Boundary line to be retraced, &c.

Variations to be noted, &c.

(a) See Nos. 762, 1076, 1156, 1161, 1171, 1203, 1204, 1239.

No. 1258.—AN ACT in relation to the Hot Springs reservation in the State of Arkansas.

March 3, 1877.
Vol. 19, p. 377.

Be it enacted, &c., That so much of section five of an act of June eleventh, eighteen hundred and seventy, in relation to the Hot Springs reservation of Arkansas, as provides for the appointment of a receiver by the court, be, and the same is hereby, repealed: *Provided*, That nothing in this section shall be construed to affect the right of the United States to collect and receive rents already due.

Law for receiver of Hot Springs, Ark., repealed.
Rights reserved.

- Commissioners to lay out Hot Springs reservation.** SEC. 2. That it shall be the duty of the President of the United States, upon the passage of this act, to appoint three discreet, competent, and disinterested persons, who shall constitute a board of commissioners, any two of whom shall constitute a quorum, who are hereby authorized to perform and discharge the duties specified by this act, and for that purpose shall meet at Hot Springs, in the State of Arkansas, within thirty days after their appointment, and shall, before entering upon the discharge of their duties, subscribe to the usual oath for civil officers, and shall, at their first meeting, organize by the election of one of their number as chairman of the board, having given ten days' notice of the time and place of meeting in some daily paper published at Hot Springs, which notice shall be continued during the entire session of said board of commissioners, and all the evidence herein provided to be taken by said board shall be taken at Hot Springs.
- Place of meeting.**
- Oath.**
- Organization.**
- Advertisement.**
- Evidence.**
- Manner of laying out reservation.** SEC. 3. That it shall be the duty of said commissioners, after examination of the topography of the reservation, to lay out into convenient squares, blocks, lots, avenues, streets, and alleys, the lines of which shall correspond with the existing boundary lines of occupants of said reservation as near as may be consistent with the interests of the United States, the following described lands, to wit: The south half of section twenty-eight, the south half of section twenty-nine, all of sections thirty-two and thirty-three, in township two south and range nineteen west; and the north half of section four, the north half of section five, in township three south and range nineteen west, situate in the county of Garland, and State of Arkansas, and known as the Hot Springs reservation.
- Land to be included.**
- Land including hot springs to be reserved.** SEC. 4. That before making any subdivision of said lands, as described in the preceding section, it shall be the duty of said board of commissioners, under the direction and subject to the approval of the Secretary of the Interior, to designate a tract of land included in one boundary, sufficient in extent to include, and which shall include all the hot or warm springs situate on the lands aforesaid, to embrace, as near as may be, what is known as Hot Springs Mountain, and the same is hereby reserved from sale, and shall remain under the charge of a superintendent, to be appointed by the Secretary of the Interior: *Provided, however,* That nothing in this section shall prevent the Secretary of the Interior from fixing a special tax on water taken from said springs, sufficient to pay for the protection and necessary improvement of the same.
- Superintendent.**
- Special tax on water taken from springs.**
- Duty of commission.** SEC. 5. That it shall be the duty of said commissioners to show by metes and bounds on the map herein provided for, the parcels or tracts of lands claimed by reason of improvements made thereon or occupied by each and every such claimant and occupant on said reservation; to hear any and all proof offered by such claimants and occupants and the United States in respect to said lands and in respect to the improvements thereon; and to finally determine the right of each claimant or occupant to purchase the same, or any portion thereof, at the appraised value, which shall be fixed by said commissioners: *Provided, however,* That such claimants and occupants shall file their claims, under the provisions of this act, before said commissioners within six calendar months after the first sitting of the said board of commissioners, or their claims shall be forever barred; and no claim shall be considered which has accrued since the twenty-fourth day of April, eighteen hundred and seventy-six.
- Map of metes and bounds of claims.**
- Testimony.**
- Right of purchase.**
- Appraised value.**
- Time for filing claims.**
- Claims not to be considered.**
- Powers of commission—**
- As to witnesses.** SEC. 6. That the said commissioners shall have power to compel the attendance of witnesses and the production of papers touching the occupancy or improvements of or on said lands, or any other matter in any wise belonging or appertaining either to the said lands or the improvements thereon; shall have power to examine under oath all witnesses that may come before them, and all testimony shall be reduced to writing, and preserved as hereinafter provided.
- As to obstructions.** SEC. 7. That said commissioners shall have power to remove, or cause to be removed, all buildings or obstructions upon the said Hot Springs reservation when the same may be necessary to carry out the provisions of this act, as also all obstructions to streets, alleys or roads, to be laid off, straightened or widened as herein provided for.
- As to streets, etc.** SEC. 8. That the commissioners shall have power to straighten or widen any of the present streets or alleys in the town of Hot Springs, and to lay off such additional streets, alleys, and roads in said Hot Springs reservation, or in the town, before the sale or disposition of any of the property herein mentioned, as the convenience of the public

and the interests of the United States may require, and for that purpose may condemn all buildings that they may find necessary to condemn in order to straighten or widen said streets and alleys, or to lay off new streets, alleys, and roads, and also all buildings or improvement on the reservation herein made, and to fix the value on all property thus condemned.

SEC. 9. That it shall be the duty of said commissioners, without delay, to file in the office of the Secretary of the Interior, the map and survey herein provided for, with the boundary lines of each claim clearly marked thereon, and with each division and subdivision traced and numbered, accompanied by a schedule, showing the name of each claimant, and of each lot or parcel of land, the appraised value thereof, numbers to correspond with such claim upon the map; also all of the evidence taken by them respecting the claimants' possessory right of occupation to any portion of the Hot Springs reservation and their findings in each case; also their appraisal of each tract or parcel of land, and the improvements thereon; and it shall be the duty of said commissioners to issue a certificate to each claimant, setting forth the amount of land the holder is entitled to purchase, and the valuation fixed thereon, and also showing the character and the valuation fixed upon the improvements of said tract or parcel of land, and to issue a certificate or certificates to all persons whose improvements are condemned, as herein provided, showing the value of said improvements. (a)

Report of commission.
Map.

Evidence and finding.

Appraised value.

Certificates to claimants.

SEC. 10. That it shall be the duty of the Secretary of the Interior, within thirty days after said commissioners file said report and map in his office, to instruct the United States land officers of Little Rock (Arkansas) land district to allow said lands to be entered as hereinafter provided, and to cause a patent to issue therefor; and it shall be the duty of the land officers authorized to sell said lands to give twenty days public notice in the Little Rock and Hot Springs newspapers that said lands are subject to entry in accordance with the provisions of this act.

Lands may be entered and patented.

Public notice to be given.

SEC. 11. That any claimant or occupant, his heirs or legal representatives, in whose favor said commissioners have adjudicated, shall, under such rules and regulations as the Secretary of the Interior may prescribe, have the sole right to enter and pay for, at the price fixed by said commissioners, the amount of land the commissioners had adjudged that they were entitled to purchase, at any time within twelve months next after the land officers give the public notice herein required.

Claimants to have right to enter and pay for lands.

Time allowed for purchase.

SEC. 12. That upon the failure of any claimant or occupant in whose favor the commissioners have adjudged to pay the valuation fixed upon said land within the time and in the manner herein prescribed, then said lands, together with all other lands that no one has an adjudicated right to purchase under this act, shall be sold, by direction of the Secretary of the Interior, to the highest bidder at public sale for not less than the appraised value thereof at the land office at Little Rock, after notice of such sale has been advertised three months in some newspaper in the town of Hot Springs and in such other papers as he may designate, said lands and improvements to be sold together; and the proceeds arising from the sale thereof shall be paid to the receiver of public moneys at the land office in Little Rock, Arkansas.

On failure of claimant to purchase, property to be sold at auction.

Notice of sale. Disposition of proceeds.

SEC. 13. That any claimant or occupant who does not desire to purchase the lands adjudicated to him or her at the valuation fixed by said commissioners shall have the right to remove any improvements made on said land, at his or her own cost, before the time fixed for the payment for said lands.

Improvements may be removed.

SEC. 14. That the money arising from the sale of the lands shall be paid into the Treasury in the same manner as other moneys arising from the sale of public lands, and held for the purpose herein specified and at the further disposal of Congress; and the money arising from water rents shall be under the control of the Secretary of the Interior, and expended by him for the purposes hereinbefore stated, an account of which shall be annually rendered to Congress, showing the amount received, the amount expended, and the amount remaining on hand at the end of each fiscal year. (b)

Disposition of proceeds of sale.

Water rents.

Report to Congress.

SEC. 15. That the United States marshal for the judicial district of Arkansas, in which the Hot Springs may be situated shall execute all processes required to be executed by this act.

Marshal to execute processes.

- Term of office of commissioners.** SEC. 16. That said commissioners shall hold their offices for the period of one year from the date of appointment, and shall have power to employ competent engineers to make the maps and surveys herein provided for, at a reasonable compensation; to employ a stenographer, who shall also act as clerk, at a compensation of not more than eight dollars per day, to rent an office and purchase the necessary stationery; and the compensation of said commissioners shall be ten dollars per day each, all of which shall be paid by the Secretary of the Interior upon the certified vouchers of said commissioners. (a)
- Employés.**
- Compensation.**
- Hot Springs Railroad Company to have right of way.** SEC. 17. That the right of way be, and the same is hereby, granted to the Hot Springs Railroad Company, a company duly incorporated and organized under the laws of the State of Arkansas, to construct, maintain, and operate its line of railroad upon, over, and across the Hot Springs reservation in the State of Arkansas, as follows:
- Route of railway.** Commencing on the east line of the south half of section thirty-three, in township two south of the base line, in range nineteen west of the fifth principal meridian, in the county of Garland, and State of Arkansas, at a point about six hundred feet from the southeast corner of said section; thence running up a ravine parallel to and south of the Benton wagon road, westwardly through said section, to a point where the same will intersect with the Malvern stage road at a point south of the grave-yard on said reservation.
- Width of grant. Land for shops, etc.** SEC. 18. The right of way hereby granted shall consist of a strip of land fifty feet wide on each side of said railroad, measured from the centre line thereof, from the point on the east line of said section of land where said railroad enters the same to the terminus of the track of said road: *Provided*, That said railway company may purchase upon the same terms as individuals land for shops, depots, and other purposes, not exceeding twenty acres: *Provided, however*, That Congress may at any time alter, amend, or repeal this section. (c)
- Proviso.**
- Land for public buildings to Garland County.** SEC. 19. That a suitable tract of land, not exceeding five acres shall be laid off by said commissioners, and the same is hereby granted to the county of Garland in the State of Arkansas as a site for the public building of said county: *Provided*, That the tract of land hereby granted shall not be taken from the land reserved herein for the use of the United States.
- Proviso.**

(a) See Nos. 1186, 1253, 1259, 1260, 1262, 1263.

(b) See Nos. 421, 1160, 1172, 1200, 1230, 1236, 1245, 1255, 1261.

(c) See Nos. 1086, 1120, 1122, 1131, 1133, 1134, 1246, 1248, 1249, 1250, 1251, 1252, 1258.

June 20, 1878.
Vol. 20, p. 230.

No. 1259.—AN ACT making appropriations for sundry civil expenses of the Government for the year ending June thirtieth, eighteen hundred and seventy-nine, and for other purposes.

Be it enacted, &c.,

**Hot Springs.
Bath-houses.**

Not exceeding one acre now occupied by them for a period of ten years unless otherwise provided by law at an annual rental of one thousand dollars. And he is further directed to lease the bath-houses of a permanent nature now upon the Hot Springs reservation, to the owners of the same and lease to any person or persons, upon such terms as may be agreed on, sites for the building of other bath-houses, for the term of five years, unless otherwise provided by law, under such rules and regulations as he may prescribe; and the tax imposed shall not exceed fifteen dollars per tub per annum including land rent. (a)

(a) See Nos. 1186, 1253, 1258, 1260, 1262, 1263.

Dec. 16, 1878.
Vol. 20, p. 258.

No. 1260.—AN ACT to correct an error of enrollment in bill making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, eighteen hundred and seventy-nine, and for other purposes.

Appropriation.

Be it enacted, &c., That the sum of twenty-seven thousand five hundred dollars, or so much thereof as may be necessary, is hereby appropriated to pay for clerk hire, engineering, marshal's fees, salaries, and other expenses of the Hot Springs commission; and the President of the United States be, and he is hereby, authorized to appoint with the advice and consent of the Senate, three discreet, competent, and disinterested persons, who shall constitute a board of commissioners, any two of whom shall constitute a quorum, who shall hold their offices for the period of one year from the date of their appointment, and shall

**Hot Springs
Commission.
Appointment.**

Term of office.

have the same powers and authority in all respects as was provided for the commissioners appointed under the act of Congress approved March third, eighteen hundred and seventy-seven, entitled "An act in relation to the Hot Springs reservation in the State of Arkansas;" which act is hereby revived and continued in full force for the purpose of enabling said board of commissioners to take possession of all records, papers, and proofs, and to determine the claims presented to the board of commissioners appointed under said act, whose term of office has expired, and to do and perform all other acts and duties authorized by said act. And the Secretary of the Interior is hereby directed to lease to the present proprietors of the Arlington Hotel or their assigns the grounds, not exceeding one acre, now occupied by them, for a period of ten years, unless otherwise provided by law, at an annual rental of one thousand dollars. And he is further directed to lease the bath-houses of a permanent nature now upon the Hot Springs reservation to the owners of the same, and lease to any person or persons upon such terms as may be agreed on, sites for the building of other bath-houses for the term of five years, unless otherwise provided by law, under such rules and regulations as he may prescribe; and the tax imposed shall not exceed fifteen dollars per tub per annum, including land rent: *Provided*, That said leases shall in no way prejudice any legal right that any person or persons may have acquired under the act hereby revived and continued, to any improvements on said ground: *And provided further*, That to prevent monopoly, no bath-house or hotel shall be supplied with more than enough water for forty bath-tubs of the usual size, unless there shall be more than enough hot water to supply all other demands for the same, in which case no single establishment shall be allowed more than forty bath-tubs of the usual size: *And provided further*, That the superintendent shall provide and maintain a sufficient number of free baths for the use of the indigent, and the expense thereof shall be defrayed out of the rentals hereinbefore provided for.

Arlington Hotel grounds.

Bath-houses.

Tax.

Limit to bath-tubs.

Free baths.

In cases where fractions of lots are made by straightening, widening, or laying out streets, the commissioners shall have power to determine the disposal of the same, giving the preference to the owners of abutting lots: *Provided*, That all titles given or to be given by the United States shall explicitly exclude the right to the purchaser of the land, his heirs or assigns, from ever boring thereon for hot water; and the Hot Springs, with the reservation and mountain are hereby dedicated to the United States, and shall remain forever free from sale or alienation. (a)

Fractions of lots.

Conditions of titles.

(a) See Nos. 1186, 1253, 1258, 1259, 1262, 1263.

No. 1261.—AN ACT subjecting the Fort Wayne military reservation in the State of Arkansas to entry as other public lands in said State.

Jan. 30, 1879.
Vol. 20, p. 276.

Be it enacted, &c., That all the lands embraced in the Fort Wayne military reservation in the State of Arkansas be, and the same are hereby, opened and made subject to entry as other public lands in said State under existing laws: *Provided*, That all persons owning improvements on said reservation at the time of the passage of this act shall have a prior right to enter the same at any time within six months after this act goes into effect. (a)

Fort Wayne reservation, Arkansas, restored to public domain.
Priorities.

SEC. 2. That the Commissioner of the General Land Office be, and hereby is, authorized to issue the instructions necessary to carry the provisions of this act into effect.

Instructions.

(a) See Nos. 421, 1160, 1178, 1200, 1230, 1236, 1245, 1255, 1258.

No. 1262.—JOINT RESOLUTION touching the Hot Springs reservation in the State of Arkansas.

Jan. 14, 1890.
Vol. 21, p. 299.

Resolved, &c., That the time allowed the Secretary of the Interior to instruct the United States land officers at Little Rock, Arkansas, under section ten of the act of March third, eighteen hundred and seventy-seven, entitled "An act in relation to the Hot Springs reservation in the State of Arkansas," be extended for the period of sixty days from the passage of this resolution, and all further proceedings under said act be suspended until that time. (a)

Time extended for 60 days.

(a) See Nos. 1186, 1253, 1258, 1259, 1260, 1263.

June 16, 1880.
Vol. 21, p. 288.

No. 1263.—AN ACT for the establishment of titles in Hot Springs, and for other purposes.

Persons in whose favor commissioners have reported to have sole right of entry within eighteen months.

Assessments reduced.

Certificates (except those issued to S. H. Stitt, De Witt C. Rugg, and S. W. Fordyce,) receivable in payment.

Certain districts dedicated to public use.

Cemetery.

Secretary of Interior to designate six lots for schools.

To convey to Baptist Church.

Streets and other thoroughfares ceded to corporation.

Be it enacted, &c., That any person, his heirs or legal representatives, in whose favor the commissioners appointed under the acts of Congress of eighteen hundred and seventy-seven and eighteen hundred and seventy-eight, relative to the Hot Springs of Arkansas, have adjudicated, shall have the sole right to enter and pay for the amount of land the commissioners may have adjudged him entitled to purchase, within eighteen months next after the expiration of the notice required by the tenth section of the act of Congress of March third eighteen hundred and seventy-seven, to be given by paying to the receiver of public moneys at the land office in Little Rock, Arkansas, forty per centum of the assessed value of said land as placed thereon by said commissioners; and that such assessments be reduced to that extent: and that in any cases where any church or church association has been adjudged entitled to purchase land it may do so by paying five dollars per lot.

SEC. 2. That the certificates (except certificate number one hundred and sixty-two, issued to Samuel H. Stitt, DeWitt C. Rugg, and Samuel W. Fordyce for twenty-two thousand dollars, which exceptions shall not prejudice the rights of the United States or the holders of said certificate.) issued for condemned buildings by said commissioners be made receivable for the amounts named therein as so many dollars lawful money of the United States in the entry and purchase of the lands that may be sold in the Hot Springs reservation; and that such certificates be assignable, and when assigned in the presence of two subscribing witnesses or the execution of the assignment thereof shall have been acknowledged before a court of record or clerk thereof, the land officers in like manner shall receive them from the assignee in payment of lands purchased by himself or others; and in case the amount of the certificate presented and received at such land office shall exceed that necessary to make the purchase and entry desired, there shall be executed by the register and receiver, and delivered to the person from whom the same is received, a certificate giving the number of the original, the date and amount thereof, the balance due such person thereon, and the certificate thus issued shall be assignable and receivable in like manner as the original, and in all cases where such certificates are issued the register of the land office shall certify on the original certificate taken up, the number of the lots purchased therewith, and the price thereof.

SEC. 3. That those divisions of the Hot Springs reservation, known as the mountainous districts, not divided by streets on the maps made by the commissioners, but known and defined on the map and in the report of the commissioners as North Mountain, West Mountain, and Sugar Loaf Mountain, be, and the same are hereby forever reserved from sale, and dedicated to public use as parks, to be known, with Hot Springs Mountain, as the permanent reservation.

SEC. 4. That whenever the town of Hot Springs shall procure elsewhere a suitable burying-ground and shall cause the bodies now buried in the cemetery lot, within the limits of said town, to be decently removed and reinterred, the title to said cemetery lot shall vest in the corporation of said town, to be held and used forever as a town or city park, and not otherwise.

SEC. 5. That the Secretary of the Interior is hereby authorized to designate six lots from the unawarded grounds on the Hot Springs reservation for the use of the common schools of the corporation of the town of Hot Springs, as sites for school houses, and the lots when so designated are hereby dedicated to the use of common schools, and shall be used, controlled, and managed by the common school officials of the district in which they may be located for such purposes only. The Secretary of the Interior is also authorized to convey to the Baptist Church of Hot Springs, whose church edifice was destroyed by fire, a suitable lot of ground not exceeding one-eighth of an acre from that portion of the Hot Springs reservation laid off into lots and blocks, and forming part of the town site but not awarded to any claimants and not otherwise disposed of by this act said conveyance to be on consideration of the payment of a sum equal to ten dollars per acre for said lot.

SEC. 6. That the streets, courts, and alleys and other thoroughfares of the town of Hot Springs, as surveyed, opened, or established by the commissioners and represented on the map of said town, and not included in the permanent reservation, be, and the same are hereby,

ceded to the corporation of the town of Hot Springs for public use: *Provided however* That nothing in this act shall be so construed as to impair the rights or equities conferred upon claimants to said lands by an act of Congress approved March third, eighteen hundred and seventy-seven, and an act approved December sixteenth eighteen hundred and seventy-eight, in relation to the Hot Springs reservation in the State of Arkansas.

SEC. 7. That that portion of the Hot Springs reservation laid off into lots and blocks and forming part of the town site, but not awarded to any claimants, and not otherwise disposed of or reserved by this act, shall be sold at public auction to the highest bidder, at not less than its appraised value, to be made from time to time, at the discretion and under the direction of the Secretary of the Interior, and after public notice in the usual way in the sale of public lands; and the money arising from said sales, as well as any money paid in under section one of this act, shall be held as a special fund for the improvement and care of the permanent reservation at Hot Springs and of the Hot Springs Creek adjacent to and between the permanent reservations, and for the maintenance of free baths for the invalid poor of the United States, as provided by acts of Congress. (a)

Lots not awarded or otherwise disposed of to be sold at public auction.

Disposition of proceeds of sale.

(a) See Nos. 1186, 1253, 1256, 1259, 1260, 1262.

MISSISSIPPI.

April 7, 1798.
Vol. 1, p. 549.

No. 1264.—AN ACT for an amicable settlement of limits with the State of Georgia, and authorizing the establishment of a government in the Mississippi Territory.

President authorized to appoint commissioners to adjust the interfering claims to certain territory.

And to receive proposals for the cession of other territory claimed by Georgia.

Lands ascertained to be the property of the United States how to be disposed of.

Certain territory constituted a district, to be called the Mississippi Territory.

President authorized to establish a government and appoint officers therein.

Congress may hereafter divide it into two districts.

Saving of the right of Georgia and of individuals to the jurisdiction of soil thereof.

The people of this Territory to be entitled to certain rights, &c.

Be it enacted, &c., That the President of the United States be, and he hereby is authorized to appoint three commissioners; any two of whom shall have power to adjust and determine with such commissioners as may be appointed under the legislative authority of the State of Georgia, all interfering claims of the United States and that State, to territory situate west of the river Chatahouchee, north of the thirty-first degree of north latitude, and south of the cession made to the United States by South Carolina: and also to receive any proposals for the relinquishment or cession of the whole or any part of the other territory claimed by the State of Georgia, and out of the ordinary jurisdiction thereof.

SEC. 2. *Be it further enacted,* That all the lands thus ascertained as the property of the United States, shall be disposed of in such manner as shall be hereafter directed by law; and the nett proceeds thereof shall be applied to the sinking and discharging the public debt of the United States, in the same manner as the proceeds of the other public lands in the territory northwest of the river Ohio.

SEC. 3. *Be it further enacted,* That all that tract of country bounded on the west by the Mississippi; on the north by a line to be drawn due east from the mouth of the Yamous to the Chatahouchee River; on the east by the river Chatahouchee; and on the south by the thirty-first degree of north latitude, shall be, and hereby is constituted one district, to be called the Mississippi Territory: and the President of the United States is hereby authorized to establish therein a government in all respects similar to that now exercised in the territory northwest of the river Ohio, excepting and excluding the last article of the ordinance made for the government thereof by the late Congress on the thirteenth day of July, one thousand seven hundred and eighty-seven, and by and with the advice and consent of the Senate to appoint all the necessary officers therein, who shall respectively receive the same compensations for their services; to be paid in the same manner as by law established for similar officers in the territory northwest of the river Ohio; and the powers, duties and emoluments of a superintendent of Indian affairs for the southern department, shall be united with those of governor: *Provided always,* That if the President of the United States should find it most expedient to establish this government in the recess of Congress, he shall nevertheless have full power to appoint and commission all officers herein authorized; and their commissions shall continue in force until the end of the session of Congress next ensuing the establishment of the government.

SEC. 4. *Be it further enacted,* That the Territory hereby constituted one district for the purposes of government, may at the discretion of Congress be hereafter divided into two districts, with separate Territorial governments in each, similar to that established by this act.

SEC. 5. *Be it further enacted,* That the establishment of this government shall in no respect impair the right of the State of Georgia, or of any person or persons either to the jurisdiction or the soil of the said Territory, but the rights and claims of the said State and of all persons interested, are hereby declared to be as firm and available, as if this act had never been made.

SEC. 6. *And be it further enacted,* That from and after the establishment of the said government, the people of the aforesaid Territory shall be entitled to and enjoy all and singular the rights, privileges and advantages granted to the people of the territory of the United States, northwest

of the river Ohio, in and by the aforesaid ordinance of the thirteenth day of July, in the year one thousand seven hundred and eighty-seven, in as full and ample a manner as the same are possessed and enjoyed by the people of the said last-mentioned Territory. (a)

(a) See Nos. 1265, 1285, 1303, 1304, 1306.

No. 1265.—AN ACT supplemental to the act intituled "An act for an amicable settlement of limits with the State of Georgia; and authorizing the establishment of a government in the Mississippi Territory."

May 10, 1800.
Vol. 2, p. 69.

Be it enacted, &c., That so much of the ordinance of Congress of the thirteenth of July, one thousand seven hundred and eighty-seven, and of the act of Congress of the seventh of August, one thousand seven hundred and eighty-nine, providing for the government of the territory of the United States northwest of the river Ohio, as relates to the organization of a general assembly therein, and prescribes the powers thereof, shall forthwith operate, and be in force in the Mississippi Territory: *Provided,* That until the number of free male inhabitants of full age, in the said Territory, shall amount to five thousand, there shall not be returned to the general assembly more than nine representatives.

Organization of a general assembly in the Mississippi Territory.

SEC. 7. *And be it further enacted,* That nothing in this act shall in any respect impair the right of the State of Georgia to the jurisdiction, or of the said State, or of any person or persons to the soil of the said Territory, but the rights and claims of the said State, and all persons interested, are hereby declared to be as firm and available as if this act had never been made. (a)

Saving of the rights of Georgia, and of all persons.

SEC. 10. *And be it further enacted,* That it shall be lawful for the commissioners appointed, or who may hereafter be appointed on the part of the United States, in pursuance of the act, intituled "An act for an amicable settlement of limits with the State of Georgia; and authorizing the establishment of a government in the Mississippi Territory," or any two of them, finally to settle by compromise with the commissioners, which have been or may be appointed by the State of Georgia, any claims mentioned in said act, and to receive in behalf of the United States a cession of any lands therein mentioned, or of the jurisdiction thereof, on such terms as to them shall appear reasonable: and also, that the said commissioners on the part of the United States, or any two of them, be authorized to inquire into the claims which are or shall be made by settlers or any other persons whatsoever, to any part of the aforesaid lands, and to receive from such settlers and claimants any propositions of compromise which may be made by them, and lay a full statement of the claims and the propositions which may be made to them by the settlers or claimants to any part of the said lands, together with their opinion thereon, before Congress, for their decision thereon, as soon as may be: *Provided,* That the settlement shall be made and completed before the fourth day of March, one thousand eight hundred and three: *And provided also,* That the said commissioners shall not contract for the payment of any money from the Treasury of the United States to the State of Georgia, other than the proceeds of the same lands. (b)

The commissioners of the United States may finally settle with Georgia by compromise.

They may inquire into the claims of individuals.

Proviso.

(a) See Nos. 1264, 1285, 1303, 1304, 1306.

(b) See Nos. 718, 723, 731, 737, 745, 753, 1067, 1266, 1268, 1270, 1271, 1275, 1276, 1284, 1286, 1287, 1292, 1294, 1296, 1299, 1300, 1310, 1318, 1322, 1324, 1333, 1334, 1336, 1366, 1368, 1399.

No. 1266.—AN ACT regulating the grants of land, and providing for the disposal of the lands of the United States, south of the State of Tennessee.

March 3, 1803.
Vol. 2, p. 229.

Be it enacted, &c., That any person or persons, and the legal representatives of any person or persons, who were resident in the Mississippi Territory on the twenty-seventh day of October, in the year one thousand seven hundred and ninety-five, and who had prior to that day obtained, either from the British Government of West Florida or from the Spanish Government, any warrant or order of survey for lands lying within the said Territory, to which the Indian title had been extin-

Residents in the Mississippi Territory, confirmed in their claims.

- guished, and which were on that day actually inhabited and cultivated by such person or persons, or for his or their use, shall be confirmed in their claims to such lands in the same manner as if their titles had been completed: *Provided, however,* That no such incomplete title shall be confirmed, unless the person in whose name such warrant or order of survey had been granted, was at the time of its date either the head of a family, or above the age of twenty-one years.
- Proviso.** SEC. 2. *And be it further enacted,* That to every person, or to the legal representative or representatives of every person who, being either the head of a family, or of twenty-one years of age, did on that day of the year seventeen hundred and ninety-seven, when the Mississippi Territory was finally evacuated by the Spanish troops, actually inhabit and cultivate a tract of land in the said Territory, not claimed by virtue either of the preceding section, or of any British grant, or of the articles of agreement and cession between the United States and the State of Georgia, the said tract of land thus inhabited and cultivated, shall be granted: *Provided, however,* That not more than one tract shall be thus granted to any one person, and the same shall not contain more than six hundred and forty acres: *And provided also,* That this donation shall not be made to any person who claims any other tract of land in the said Territory by virtue of any British or Spanish grant, or order of survey. (a)
- Grants to inhabitants where the Territory was evacuated by the Spaniards.** SEC. 3. *And be it further enacted,* That every person, and the legal representative of every person, who being the head of a family, or above the age of twenty-one years, doth at the time of passing this act, inhabit and cultivate a tract of land in the said Territory, not claimed by virtue of the preceding sections of this act, or of any British grant, or of the articles of agreement and cession above mentioned, shall be entitled to a preference in becoming the purchaser from the United States, of such tract of land, at the price at which the other lands of the United States in the said Territory, are by this act directed to be sold; and payment may be made therefor in the same manner, and under the same conditions, as directed by this act for such other lands: *Provided, however,* that no interest shall be charged upon any of the instalments until they respectively become payable. (b)
- Limitations.** SEC. 4. *And be it further enacted,* That for the disposal of the lands of the United States within the Mississippi Territory, two land offices shall be established in the same, one at such place in the county of Adams, as shall be designated by the President of the United States, for the lands lying west of "Pearl River," sometimes called "half-way river;" and one at such place in the county of Washington, as shall be designated by the President of the United States, for the lands lying east of Pearl River: and for each of the said offices, a register and receiver of public monies shall be appointed, who shall give security in the same manner, and in the same sums, and whose duties and authority shall in every respect be the same in relation to the lands which shall be disposed of at their offices, as are by law provided in relation to the registers and the receivers of public monies in the several offices established for the disposal of the lands of the United States, north of the river Ohio, and above the mouth of Kentucky River. (c)
- Residents entitled to a preference as purchasers.** SEC. 5. *And be it further enacted,* That every person claiming lands by virtue of any British grant, or of the three first sections of this act, or of the articles of agreement and cession between the United States and the State of Georgia, shall, before the last day of March in the year one thousand eight hundred and four, deliver to the register of the land office, within whose district the land may be, a notice in writing, stating the nature and extent of his claims, together with a plot of the tract or tracts claimed, and shall also, on or before that day, deliver to the said register, for the purpose of being recorded, every grant, order of survey, deed, conveyance, or other written evidence of his claim, and the same shall be recorded by the said register, in books to be kept for that purpose, on receiving from the parties at the rate of twelve and a half cents, for every hundred words contained in such written evidence of their claim; and if such person shall neglect to deliver such notice in writing, of his claim, together with a plot as aforesaid, or cause to be recorded such written evidence of the same, all his right, so far as the same is derived from the above-mentioned articles of agreement, or from the three first sections of this act, shall become void, and forever thereafter be barred; nor shall any grant, order of survey, deed, conveyance, or other written evidence, which shall not be recorded as above
- Without interest on instalments.**
- Two land offices in the Mississippi Territory.**
- Register and receiver of public monies in each.**
- Security.**
- Claimants and residents to state their claims before March 31, 1804.**
- To be recorded.**
- Neglect thereof to bar their claims.**

directed, ever after be considered or admitted as evidence in any court in the United States, against any grant derived from the United States.

SEC. 6. *And be it further enacted*, That the register of the land office in Adams County, and two other persons who shall be appointed by the President of the United States alone, shall for the lands lying west of Pearl River, and the register of the land office of Washington County, together with two other persons who shall be appointed by the President of the United States alone, shall for the lands lying east of Pearl River, respectively be commissioners, for the purpose of ascertaining the rights of persons claiming the benefit of the articles of agreement and cession between the United States and the State of Georgia, or of the three first sections of this act; and the said commissioners shall, previous to entering on the duties of their appointment, respectively take and subscribe the following oath or affirmation, before some person qualified to administer the same: "I do solemnly swear (or affirm) that I will impartially exercise and discharge the duties imposed upon me, by an act of Congress, intituled 'An act regulating the grants of land and providing for the disposal of the lands of the United States south of the State of Tennessee,' to the best of my skill and judgment." And it shall be the duty of the said commissioners to meet in the county of Adams, and in Washington County aforesaid, respectively, on or before the first day of December next, and they shall not adjourn to any other place, or for a longer time than three days, until the first day of April, one thousand eight hundred and four, and until they shall have completed the business of their appointment. And each board, or a majority of each board, shall, in their respective districts, have power to hear and decide in a summary manner, all matters respecting such claims, also to administer oaths and examine witnesses, and such other testimony as may be adduced, and to determine thereon according to justice and equity; which determination, so far as relates to any rights derived from the articles of agreement above mentioned, or from the three first sections of this act, shall be final; and for the safe-keeping of the papers and evidence produced and recording their proceedings, the said boards, respectively, shall have power to appoint a clerk, whose duty it shall be to enter in a book to be kept for that purpose, perfect and correct minutes of the proceedings, decisions, meetings and adjournments of the boards, together with the evidence on which such decisions are made; which books and papers, on the dissolution of the boards, shall be transmitted to, and lodged in the office of the Secretary of State; and on or before such clerk's entering on the duties of his office, he shall take and subscribe the following oath or affirmation, to wit: "I do solemnly swear (or affirm as the case may be) that I will truly and faithfully enter and record all minutes, proceedings and decisions of the board of commissioners for the county of appointed under and by virtue of an act of the United States, intituled 'An act regulating the grants of land, and providing for the disposal of the lands of the United States, south of the State of Tennessee,' and well and faithfully do and perform all other acts and things in the said act pointed out as the duty of a clerk of the said board," which oath shall be entered on the minutes of the board; and when it shall appear to them that the claimant is entitled to a tract of land under the articles of agreement and cession with Georgia aforesaid, in virtue of a British or Spanish grant legally and fully executed, they shall give a certificate thereof, describing the tract of land and the grant, and stating that the claimant is confirmed in his title thereto by virtue of the said articles; which certificate, being recorded by the register of the land office, whose duty it shall be to record the same in a book to be kept by him for that purpose, shall amount to a relinquishment for ever, on the part of the United States to any claim whatever to such tract of land: and when it shall appear to the said commissioners that the claimant is entitled to a tract of land by virtue of a settlement under the Bourbon act of Georgia, recognized in the said articles of agreement and cession, or of either of the two first sections of this act, they shall give a certificate thereof, stating the circumstances of the case, and that the claimant is entitled to receive a patent for such a tract of land by virtue of this act, which certificate being duly entered with the register of the land office, on or before the first day of January, eighteen hundred and five, shall entitle the party to a patent for the said tract, which shall issue in like manner as is provided by this act for the other lands of the United States,

Commissioners appointed to settle the claims.

Their oath or affirmation.

Duties.

Powers. The determination of the board to be final.

Appointment of clerks.

Duties. Papers, &c., on dissolution of the boards to be lodged in the Secretary of State's office.

Oath or affirmation of the clerk.

Titles, when to be granted, and how, under the Georgia cession.

A certificate to be given.

Under the Bourbon act of the state of Georgia.

Certificate to be returned before January 1, 1805, which shall entitle the party to a patent.

without the party paying any thing therefor, except the surveying expenses and the fees of office. And when it shall appear to the said commissioners that the claimant is entitled to a right of pre-emption by virtue of the third section of this act, they shall give a certificate thereof, directed to the register of the land office; which certificate being duly entered with the register of the land office, on or before the first day of January, eighteen hundred and five, shall entitle the party to become a purchaser of such tract of land: *Provided*, That he shall, prior to the first day of January, eighteen hundred and six, also produce a receipt from the treasurer of the United States, or from the receiver of public monies, for at least one-fourth part of the purchase money, and also for the payment of the surveying expenses; and the party shall, upon payment in full of the purchase money, on which, if any of the three last payments shall be made in advance, he shall be allowed the same discount allowed in similar cases by this act, be entitled to receive a patent, which shall issue in like manner, and on payment of the same fees as are provided by this act for the other lands of the United States; but if such person shall neglect to enter his certificate, on or before the first day of January, eighteen hundred and five, or to make such first payment as above provided; his right of pre-emption shall cease and become void. *Provided also, and it is further enacted*, That whenever a tract of land to which any person might be entitled by virtue of the three first sections of this act, shall also be claimed by the holder of a British patent, legally and fully executed, and duly recorded in conformity to the provisions of this act, who is not confirmed in his claim by the articles of agreement above mentioned, the commissioners shall, in the certificate granted to the person claiming the land by virtue of this act, state the existence of the adverse claims, in which case the party shall not be entitled to a patent, unless he shall have obtained in his favour a judicial decision in a court having jurisdiction therein, and for every certificate so granted by the boards respectively, the clerk of the board granting the same, shall be entitled to demand and receive of the party to whom the same is granted, the sum of two dollars.

Right of pre-emption. Clerk to receive two dollars for every certificate.

Proviso that receipts for purchase money be produced. Commissioners shall report to the Secretary of the Treasury.

Proviso. Reference to be made to adverse claims. SEC. 7. *And be it further enacted*, That the commissioners aforesaid shall, on or before the first day of December, one thousand eight hundred and four, make to the Secretary of the Treasury, a full report of all the British grants legally and fully executed, which have been duly recorded in conformity to the provisions of this act, the title of which is not confirmed to the holders thereof, by the articles of agreement above mentioned, stating the present situation of the lands, the date of such grants, the conditions annexed thereto, and how far the same have been fulfilled, together with such other remarks thereon as they may think proper; which report shall be laid before Congress at their next session, and the lands contained in such grants shall not be otherwise disposed of, until the end of one year after that time.

Report to be laid before Congress. SEC. 8. *And be it further enacted*, That so much of the five millions of acres reserved for that purpose by the articles of agreement above mentioned, as may be necessary to satisfy the claims not confirmed by that agreement, which are embraced by the two first sections of this act, or which may be derived from British grants for lands which have not been regranted by the Spanish Government, be, and the same is hereby appropriated for that purpose; and so much of the residue of the said five millions of acres or of the nett proceeds thereof as may be necessary for that purpose, shall be, and is hereby appropriated, for the purpose of satisfying, quieting and compensating, for such other claims to the lands of the United States south of the State of Tennessee, not recognized in the above-mentioned articles of agreement, and which are derived from any act or pretended act of the State of Georgia, which Congress may hereafter think fit to provide for; provided, however, That no other claims shall be embraced by this appropriation, but those, the evidence of which shall have, on or before the first day of January next, been exhibited by the claimants to the Secretary of State, and recorded in books to be kept in his office for that purpose, at the expense of the party exhibiting the same, who shall pay to the person employed by the Secretary of State for recording the same, at the rate of twelve and an half cents for every hundred words contained in each document thus recorded; nor shall any grant, deed, conveyance, or other written evidence of any claim to the said lands, derived, or pretended to be derived from the State of Georgia, and not recognized by the above-mentioned articles of agreement, ever after be admitted or considered as

Proviso, that no claims shall be embraced by the appropriation in this act which have not been presented before Jan. 1, 1804.

Fees on recording.

No grant, deed, or conveyance from the State of

evidence in any of the courts of the United States, unless it shall have been exhibited, and recorded, in the manner and within the time above mentioned; and provided also, that nothing herein contained, shall be construed to recognize or affect the claims of any person or persons, to any of the lands above mentioned; and provided also, that no certificate shall be granted for lands lying east of the Tombigby River, nor for lands situated without the boundary lines established by treaty between the United States and the Choctaws, made the seventeenth day of October, in the year eighteen hundred and two.

Georgia to be evidence unless recorded.

Claims not recognized.

SEC. 9. *And be it further enacted*, That the Secretary of State, the Secretary of the Treasury and the Attorney-General for the time being, be, and are hereby authorized and empowered to receive such propositions of compromise and settlement, as may be offered by the several companies, or persons claiming public lands in the territory of the United States, lying south of the State of Tennessee, and west of the State of Georgia; and report their opinion thereon to Congress at their next session.

Authority given to receive propositions of compromise.

SEC. 10. *And be it further enacted*, That a surveyor of the lands of the United States, south of the State of Tennessee, shall be appointed, whose duty it shall be to engage a sufficient number of skilful surveyors as his deputies, and to cause the lands above mentioned, to which the titles of the Indian tribes have been extinguished, to be surveyed and divided in the manner hereafter directed, and to do and perform all such other acts, in relation to the said lands, as the surveyor-general is authorized and directed to do in relation to the lands lying northwest of the river Ohio, and above the mouth of the river Kentucky.

Land surveyor south of Tennessee, see appointed, who shall engage deputies. Duties.

SEC. 11. *And be it further enacted*, That the lands for which certificates of any description whatever, shall have been granted by the commissioners in pursuance of the provisions of this act, shall, as soon as may be, be surveyed under the direction of the surveyor of the lands of the United States above mentioned, in conformity to the true tenor and intent of such certificates; and the said surveyor shall also cause all the other lands of the United States, in the Mississippi Territory, to which the Indian title has been extinguished, to be surveyed as far as practicable, into townships, and subdivided into half-sections, in the manner provided for the surveying of the lands of the United States, situate northwest of the river Ohio, and above the mouth of the Kentucky River, and shall transmit to the registers of the land offices respectively, general and particular plots of all the lands surveyed as aforesaid, and shall also forward copies of the said plots to the Secretary of the Treasury; and he shall also, with the approbation of the said Secretary, fix the compensation of the deputy surveyors, chain-carriers, and axe-men: *Provided*, That the whole expense of surveying and marking the lines shall not exceed four dollars for every mile that shall be actually run, surveyed and marked: *And provided*, That the expense of surveying those tracts of land, to which the title of the claimants is confirmed by the articles of agreement, or by the two first sections of this act, and those tracts claimed under British grants, a return of which is to be made to Congress, shall not be advanced by the United States, but shall be paid to the deputy surveyor by the parties claiming the same; and that in relation to all the land sold by the United States, the purchaser shall make the same payment for surveying expenses, which is directed by law to be made for lands sold north of the river Ohio. (d)

Further duties of the surveyor.

Other lands in the Mississippi Territory to be surveyed.

Expenses of surveying.

SEC. 12. *And be it further enacted*, That all the lands aforesaid, not otherwise disposed of, or excepted by virtue of the preceding sections of this act, shall, with the exception of the section number sixteen, which shall be reserved in each township for the support of schools within the same, (e) with the exception also of thirty-six sections to be located in one body by the Secretary of the Treasury for the use of Jefferson College, and also with the exception of such town lots not exceeding two in the town of Natchez, and of such an out-lot adjoining the same, not exceeding thirty acres, as may be the property of the United States, to be located by the governor of the Mississippi Territory, for the use of the said college, (f) be offered for sale to the highest bidder, under the direction of the governor of the Mississippi Territory, of the surveyor of the lands of the United States, above mentioned, and of the register of the land office at the places respectively, where the land offices are kept, and on such day or days as shall, by a public proclamation of the President of the United States, be designated for that purpose. The sales shall remain open at each place for three weeks and no

The lands aforesaid unappropriated to be sold.

Under the directions of the governor, surveyor, and register.

Sales to remain open for three weeks; then private sales, by whom, and on what terms.

Proviso.
Lands not to be sold for less than two dollars per acre.

Patent fees.

Proviso.

Fees of the registers of the land offices, and receivers of public moneys.

Salary of the surveyor, and of his two clerks.

Compensation of the commissioners, and of their clerks.

Pay of the superintendents.

Commissions of the surveyor, registers of the land offices, and receivers of public moneys.

Appropriation for the execution of this act.

Appropriation of the moneys arising from the above sales.

Navigable rivers south of Tennessee to remain public.

longer; and all lands, other than the section number sixteen, remaining unsold at the closing of the public sales, may be disposed of at private sale by the registers of the respective land offices in the same manner, under the same regulations, for the same price, and on the same terms and conditions as is provided by law, for the sale of the lands of the United States, north of the river Ohio, by an act intituled "An act to amend the act intituled, An act providing for the sale of the lands of the United States in the territory northwest of the Ohio, and above the mouth of Kentucky River:" *Provided always*, That the lands which may be sold at public sale by virtue of this act, shall not be sold for less than two dollars per acre, and shall in every other respect be sold on the same terms and conditions as was provided for the lands sold at public sale, by the last-recited act. And patents shall be obtained for all lands granted or sold in the Mississippi Territory in the same manner and on payment of the same fees as is provided for lands sold north of the river Ohio, by the said last-recited act: *Provided, however*, That evidences of the public debt of the United States shall not be received in payment for the purchase of said lands. (b)

SEC. 13. *And be it further enacted*, That the registers of the land offices, and the receivers of public monies, appointed in pursuance of this act, shall receive the same fees and compensation as the registers and receivers of the land offices north of the river Ohio, and the registers shall also be entitled to receive twenty-five cents for entering each certificate granted by the commissioners above mentioned. The surveyor of the lands of the United States, appointed in pursuance of this act, shall receive an annual compensation of fifteen hundred dollars, and shall be allowed not exceeding two clerks, whose whole compensation shall not exceed one thousand dollars per annum. The commissioners appointed to ascertain the rights of persons claiming the benefit of the articles of agreement above mentioned, and of this act shall receive each a compensation of two thousand dollars for the whole of their services, the registers of the land offices excepted, who shall receive only five hundred dollars each, for their services as commissioners; the clerks of the boards of commissioners a compensation not exceeding seven hundred and fifty dollars each; and the superintendents of the public sales shall receive six dollars each, for each day's attendance on the said sales.

SEC. 14. *And be it further enacted*, That the President of the United States shall have full power to appoint and commission the surveyor, registers of the land offices, and receivers of public monies above mentioned, in the recess of Congress, and their commissions shall continue in force until the end of the session of Congress next ensuing such appointment.

SEC. 15. *And be it further enacted*, That a sum not exceeding twenty thousand dollars be, and the same is hereby appropriated for the purpose of carrying this act into effect; which sum shall be paid out of any unappropriated monies in the Treasury.

SEC. 16. *And be it further enacted*, That the nett proceeds of the lands which may be sold by virtue of this act, after deducting the surveying expenses and other expenses incident to the sale thereof, shall, and the same are hereby appropriated in the first place, towards paying to the State of Georgia a sum of one million two hundred and fifty thousand dollars, in pursuance of the articles of agreement and cession entered into between the United States and that State; and the Secretary of the Treasury is hereby authorized and directed to pay accordingly, and from time to time, as the same shall be received in the Treasury of the United States, so much of the said nett proceeds as will amount to the said sum of one million two hundred and fifty thousand dollars. (g)

SEC. 17. *And be it further enacted*, That all navigable rivers within the territory of the United States, south of the State of Tennessee, shall be deemed to be and remain public highways.

(a) See Nos. 718, 723, 731, 737, 745, 753, 1067, 1265, 1268, 1270, 1271, 1275, 1276, 1284, 1286, 1287, 1292, 1294, 1296, 1299, 1300, 1310, 1318, 1322, 1324, 1333, 1334, 1336, 1386, 1398, 1399.

(b) See Nos. 36, 59, 433, 1267, 1273, 1274, 1275, 1276, 1277, 1279, 1281, 1288, 1292, 1293, 1298, 1301, 1305, 1315, 1323, 1327, 1336, 1361, 1382, 1391, 1408, 1414, 1416, 1417.

(c) See Nos. 731, 1272, 1275, 1279, 1298, 1305, 1310, 1315, 1328, 1349, 1355, 1363, 1373, 1410.

(d) See Nos. 37, 777, 1269, 1272, 1298, 1305, 1343, 1356.

(e) See Nos. 1271, 1275, 1277, 1295, 1298, 1305, 1315, 1339, 1365, 1366, 1375, 1387, 1402, 1406, 1416.

(f) See Nos. 1268, 1282, 1346.

(g) See Nos. 1015, 1303, 1314, 1340, 1366, 1374, 1382, 1398, 1415.

No. 1267.—AN ACT making provision for the disposal of the public lands in the March 26, 1804.
Indiana Territory, and for other purposes. Vol. 2, p. 277.

[Fractional sections of land south of the State of Tennessee, how to be sold. See OHIO, No. 36.]

No. 1268.—AN ACT supplementary to the act intituled "An act regulating the March 27, 1804.
grants of land, and providing for the disposal of the lands of the United States, south Vol. 2, p. 303.
of the State of Tennessee."

Be it enacted, &c., That persons claiming lands in the Mississippi Territory, by virtue of any British or Spanish grant, or by virtue of the three first sections of the act to which this is a supplement, or of the articles of agreement and cession with the State of Georgia, may, after the last day of March, in the year one thousand eight hundred and four, and until the last day of November, then next following, give notice in writing, of their claims, to the register of the land office, for the lands lying west of Pearl River, and have the same recorded in the manner prescribed by the fifth section of the act to which this is a supplement: Notice to be given to the register of the land office by persons claiming lands in the Mississippi Territory west of Pearl River, and their claims to be recorded.

Provided however, That where lands are claimed by virtue of a complete Spanish or British grant, in conformity with the articles of agreement and cession between the United States and the State of Georgia, it shall not be necessary for the claimant to have any other evidence of his claim recorded, except the original grant or patent, together with the warrant or order of survey and the plot; but all the subsequent conveyances or deeds shall be deposited with the register, to be by him laid before the commissioners when they shall take the claim into consideration: and the powers vested by law in the commissioners appointed for the purpose of ascertaining the claims to lands lying west of Pearl River, shall, in every respect, extend and apply to claims which may be made by virtue of this section; and the same proceedings shall thereupon be had as are prescribed by the act aforesaid, in relation to claims which shall have been exhibited on or before the last day of March, in the year one thousand eight hundred and four. Proviso in favor of Spanish and British grants.

SEC. 2. *And be it further enacted*, That the commissioners aforesaid, appointed to adjust the claims to lands lying west of Pearl River, shall have power to adjourn from time to time, and for such time as they may think fit: *Provided however*, That they shall meet on the first day of December, in the year one thousand eight hundred and four, and shall not afterwards adjourn for a longer time than three days, nor until they shall have completed the business for which they were appointed: *And provided also*, That nothing contained in this act, nor in that to which this is a supplement, shall be construed to prevent the said commissioners, nor those appointed to adjust the claims to lands lying east of Pearl River, from acting and deciding at any time, on any claim which has been exhibited in the manner prescribed by law, although the evidence of the same may not, at that time, have been transcribed on the books of the register. Commissioners authorized to adjourn from time to time. Proviso. Proviso.

SEC. 3. *And be it further enacted*, That when any Spanish grant, warrant, or order of survey, shall be produced to either of the said boards of commissioners, for lands which were not, at the date of such grant, warrant, or order of survey, or within one year thereafter, inhabited, cultivated, or occupied by, or for the use of the grantee: or whenever either of the said boards shall not be satisfied, that such grant, warrant, or order of survey, did issue, at the time when the same bears date, the said commissioners shall not be bound to consider such grant, warrant, or order of survey, as conclusive evidence of the title, but may require such other proof of its validity as they may deem proper: and the said boards shall make a full report to the Secretary of the Treasury, to be by him laid before Congress, for their final decision of all claims grounded on such grants, warrants, or orders of survey, as may have been disallowed by the said boards, on suspicion of their being antedated, or otherwise fraudulent. What evidence may be required by the boards of commissioners concerning Spanish grants. Boards of commissioners to make reports to the Secretary of the Treasury in certain cases.

SEC. 4. *And be it further enacted*, That the Secretary of the Treasury shall be, and he is hereby authorized to employ an agent, whose compensation shall not exceed one thousand five hundred dollars in full for all his services, for the purpose of appearing before the said commissioners, in behalf of the United States, to investigate the claims for lands, and to oppose all such as he may deem fraudulent and unfounded. Agent to be appointed by the Secretary of the Treasury.

And each of the said boards of commissioners shall have the same powers to compel the attendance of witnesses, as are now vested in the courts of the United States.

Board of commissioners for adjusting claims to land, south of Pearl River, authorized to employ an assistant clerk and a translator of the Spanish language.

Compensation not to exceed \$2,000.

Salary of the surveyor of lands south of Tennessee.

Lands claimed under Spanish grants, the titles to which are not confirmed, to be surveyed at the expense of the United States.

Lands north of the Mississippi Territory and south of the State of Tennessee, and bounded on Georgia and Louisiana, made part of the Mississippi Territory.

Repeal of part of a former act.

Commissioners to make a report to the Secretary of the Treasury in certain cases.

Appropriation for carrying this act into effect.

Part of the 12th section of the act to which this is a supplement suspended.

Transcripts of the British records of West Florida to be evidence in certain cases.

SEC. 5 *And be it further enacted*, That the board of commissioners, appointed to adjust the claims to lands lying west of Pearl River, shall be authorized to employ an assistant clerk, and also a translator of the Spanish language, to assist them in the despatch of the business which may be brought before them, and for the purpose of recording Spanish grants, deeds, or other evidences of claims on the register's books; the said translator shall receive for the recording done by him, the fees already provided by law, and may be allowed, not exceeding fifty dollars, for every month he shall be employed, provided that the whole compensation, other than that arising from fees, shall not exceed six hundred dollars: the assistant clerk shall be allowed a sum not exceeding five hundred dollars for his services; and each of the commissioners of the said board, in addition to the compensation now fixed by law, shall be allowed six dollars for every day he shall attend on the board, after the last day of November, in the year one thousand eight hundred and four: *Provided*, That this additional compensation shall not exceed two thousand dollars, for each of the said commissioners.

SEC. 6. *And be it further enacted*, That from and after the first day of April, in the year one thousand eight hundred and four, the surveyor of the lands of the United States, south of the State of Tennessee, shall receive an annual compensation of two thousand dollars, in lieu of the annual compensation now fixed by law. And the lands claimed by virtue of Spanish grants, legally and fully executed, and the titles to which were confirmed by the articles of agreement and cession between the United States and the State of Georgia, shall be surveyed in the manner prescribed by the act to which this is a supplement, at the expense of the United States; anything in the said act to the contrary notwithstanding.

SEC. 7. *And be it further enacted*, That the tract of country lying north of the Mississippi Territory, and south of the State of Tennessee, and bounded on the east by the State of Georgia, and on the west by Louisiana, shall be, and the same is hereby annexed to, and made a part of the Mississippi Territory.

SEC. 8. *And be it further enacted*, That so much of the eighth section of an act, intituled "An act regulating grants of land, and providing for the disposal of the lands of the United States, south of the State of Tennessee," as provides, "that no certificate shall be granted for lands lying east of the Tombigby River," be, and the same hereby is repealed: *Provided*, That no certificate shall be granted for any lands to which the Indian title has not been extinguished.

SEC. 9. *And be it further enacted*, That the commissioners appointed in pursuance of the act aforesaid, be, and they are hereby authorized and required to make, on or before the first day of December next, a full report to the Secretary of the Treasury, of all claims that have been, or may be laid before them, for lands held by warrant of survey and improvement, in cases where the claimants were minors, and not heads of families, at the time such warrants were issued, with the circumstances which occasioned the issuing of such warrants, and the validity which has been considered as attached to the same. (a)

SEC. 10. *And be it further enacted*, That for the purpose of carrying this act into effect, a sum not exceeding twenty thousand dollars, shall be, and the same is hereby appropriated, to be paid out of any money in the Treasury, not otherwise appropriated.

SEC. 11. *And be it further enacted*, That the execution of so much of the twelfth section of the act to which this is a supplement, as excepts "such town lots, not exceeding two, in the town of Natchez, and such an out-lot adjoining the same, not exceeding thirty acres, as may be the property of the United States, to be located by the governor of the Mississippi Territory, for the use of Jefferson College," be, and the same is hereby suspended until the end of the next session of Congress. (b)

SEC. 12. *And be it further enacted*, That transcripts of the records of the British province of West Florida, to claims for land therein, and which have been delivered to the Government of the United States, may be produced as evidence, and shall be entitled to the same weight in any court of the United States, as if the same had been delivered or shall be delivered, to either of the registers of the land offices in the

Mississippi Territory, before the last of March, one thousand eight hundred and four, any thing in this act, or in the fifth section of the act to which this is a supplement, to the contrary notwithstanding.

- (a) See Nos. 718, 723, 731, 737, 745, 753, 1067, 1265, 1266, 1270, 1271, 1275, 1276, 1284, 1286, 1287, 1292, 1294, 1296, 1299, 1300, 1310, 1318, 1322, 1324, 1333, 1334, 1336, 1366, 1368, 1399.
(b) See Nos. 1266, 1282, 1346.

No. 1269.—AN ACT concerning the mode of surveying the public lands of the United States.

Feb. 11, 1805.
Vol. 2, p. 313.

[See OHIO, No. 37.]

No. 1270.—AN ACT further to amend an act, intituled "An act regulating the grants of land; and providing for the disposal of the lands of the United States, south of the State of Tennessee."

March 2, 1805.
Vol. 2, p. 323.

Be it enacted, &c., That persons who may have obtained, or shall obtain certificates from the board of commissioners appointed to ascertain the claims to lands in the Mississippi Territory, shall be allowed three months after the respective date of such certificates, for entering the same with the register of the proper land office; and certificates, thus entered, shall have the same force and effect, as if they had been duly entered with the said register, on or before the first day of January, one thousand eight hundred and five.

Persons obtaining certificates from the board of commissioners in the Mississippi Territory, allowed a further time for entering them.

SEC. 2. *And be it further enacted*, That the commissioners appointed to ascertain the claims to lands, in the above-mentioned Territory, east of Pearl River, shall be authorized to grant certificates for lands lying in the island known by the name of Nannee Hubba, formed by the cut-off of the river Tombigbee and Alabama; and persons having claims for lands lying either in said island, or east of the Tombigbee and Alabama rivers, shall be permitted to file the same with the register of the land office, till the first day of May, one thousand eight hundred and five; and the commissioners shall decide on the same, in the same manner as if they had been presented before the thirty-first day of March, one thousand eight hundred and four.

Commissioners appointed to ascertain the claims to land in the Mississippi Territory, east of Pearl River, authorized to grant certificates for land in the island of Nannee Hubba; and persons having claims permitted to file them before May 1, 1805.

SEC. 3. *And be it further enacted*, That each of the last-mentioned commissioners, shall be allowed at the rate of six dollars a day, for every day he shall attend, subsequent to the first day of April, one thousand eight hundred and five: *Provided*, That such additional allowance shall not exceed five hundred dollars for each commissioner.

Per diem allowances to the commissioners for their attendance after April 1.

SEC. 4. *And be it further enacted*, That the clerk of each of the boards of commissioners appointed to ascertain the claims to lands in the above-mentioned Territory, shall be allowed at the rate of seven hundred and fifty dollars a year, from the time when he entered on the duties of his office, to the time when the board shall adjourn sine die.

Whole additional allowance limited.

Compensations of clerks.

SEC. 5. *And be it further enacted*, That persons claiming lands in the Mississippi Territory, by virtue of British grants, legally and fully completed, who may not have filed their claims with the proper register of the land office, in conformity with the provisions heretofore made for that purpose, may, until the first day of December one thousand eight hundred and five, file such claims with the register of the land office west of Pearl River, and have the same recorded. And the said register shall, on or before the first day of January, one thousand eight hundred and six, make to the Secretary of the Treasury, a full report of all the British grants thus recorded; which report shall immediately after be laid before Congress. The lands contained in such grants shall not be otherwise disposed of until the end of one year, after that time. And if any such person shall neglect to file such British grant, and to have the same recorded, in the manner and time hereby provided, neither such grant nor any other evidence of such claim, which shall not have been recorded as above directed, shall ever after be considered or admitted as evidence in any court of the United States, against any grant derived from the United States, or against any title legally and fully executed, derived from the Spanish Government;—any act or acts to the contrary notwithstanding. (a)

Claimants under British grants legally and fully completed, allowed a further time for filing their claims.

Register to make report to Secretary of the Treasury of the grants thus recorded.

The lands included in the grants not to be disposed of for one year.

Grants not filed, &c., according to this act to be no bar to other Spanish and American grants.

- (a) See Nos. 718, 723, 731, 737, 745, 753, 1067, 1265, 1266, 1268, 1271, 1275, 1276, 1284, 1286, 1287, 1292, 1294, 1296, 1299, 1300, 1310, 1318, 1322, 1324, 1333, 1334, 1336, 1366, 1368, 1399.

April 21, 1806.
Vol. 2, p. 400.

No. 1271.—AN ACT in addition to an act, intituled 'An act regulating the grants of land and providing for the disposal of the lands of the United States, south of the State of Tennessee.

Persons losing their lands under pre-emption certificates entitled to others.

Be it enacted, &c., That whenever any person who shall have received pre-emption certificates from either of the boards of commissioners, appointed for the purpose of ascertaining the rights of persons to lands in the Mississippi Territory, shall, by a final judgment or decree of the highest court of law, or equity, in which a decision could be had, within the said Territory, rendered in favour of another person claiming by virtue of a British patent, lose the whole or part of the tract of land to which he was entitled by virtue of such certificate, it shall be lawful for the receiver of public monies for the district where the land lies, to repay to such person or his assigns, so much of the purchase money as had been paid by him for the land thus recovered, by the holder of the British patent.

Interfering claims under British patents and certificates from the commissioners, how to be settled.
Proviso.

In all cases where only a part of a tract of land, to which any person may be entitled by virtue of a certificate granted by the commissioners aforesaid, is also claimed by the holder of a British patent, a patent may issue in favour of the owners of such certificate, for so much of such tract of land as is not claimed by virtue of such British patent: *Provided*, That he shall in every other respect have complied with the provisions of the acts of Congress, regulating the grants of land in the Mississippi Territory. And the lands contained in British grants, which have been duly recorded in conformity with the provisions of former laws, and for which certificates have not been granted by the commissioners aforesaid, shall not be disposed of until otherwise directed by Congress.

Rights of pre-emption to lands in the Mississippi Territory by what time to be paid for.

SEC. 2. *And be it further enacted*, That persons entitled to a right of pre-emption to lands in the Mississippi Territory, by virtue of certificates granted by either of the boards of commissioners aforesaid, shall be allowed till the first day of January, one thousand eight hundred and seven, to make the first payment of the purchase money of such lands: and if any such person shall neglect to make such first payment, on or before the first day of January, one thousand eight hundred and seven, his right of pre-emption shall cease and become void.

Penalty of neglect of payment.

Compensation of commissioners.

SEC. 3. *And be it further enacted*, That each of the commissioners appointed to ascertain the claims to lands in the above-mentioned Territory, west of Pearl River, shall be allowed at the rate of six dollars for every day he shall attend, subsequent to the first day of April, one thousand eight hundred and six: *Provided*, That such additional allowance shall not exceed five hundred dollars for each commissioner; and the agent appointed in behalf of the United States for the said board shall be allowed an additional compensation of three hundred and fifty dollars for the whole of his services.

Proviso.

Registers and receivers of public moneys to have discretionary powers with regard to certain locations, &c.

And the register and receiver of public monies, in each of the districts of the above-mentioned Territory, shall, and they are hereby authorized, in their districts, respectively, and after the dissolution of the board of commissioners for their district, to regulate the location of any tract of land lying within such district, for which a certificate shall have been granted by the commissioners, whenever it shall appear that the location specified in such certificates, interfere with each other, or do not include the improvements, by virtue of which such certificates were granted: *Provided*, That the said register and receiver shall not be authorized to allow any location on land not improved and settled, in the manner provided by the former acts of Congress, regulating the grants of land in the above-mentioned Territory; nor to allow, in any case, a greater quantity of land than had been allowed by the commissioners.

Proviso.

Register and receiver of the district east of Pearl River authorized to grant donation certificates in certain cases.

SEC. 4. *And be it further enacted*, That whenever it shall appear to the satisfaction of the register and receiver of the district east of Pearl River, that the settlement and occupancy, by virtue of which a pre-emption certificate had been granted by the commissioners, had been made and taken place, prior to the 30th day of March, one thousand seven hundred and ninety-eight, they shall be authorized to grant to the party a donation certificate, in lieu of such pre-emption; and the patent shall issue as in other cases of donations: *Provided*, That application shall be made for such an exchange, and evidence produced of the date of such settlement and occupancy, on or before the thirty-first day of December next. (a)

Proviso.

SEC. 5. *And be it further enacted*, That the right of the United States, to all the land lying between the front street of the city of Natchez and the Mississippi River, and bounded on the north by North Fourth street, and the land granted to Stephen Minor, and on the south, by the lands annexed to the old fort, and those granted to William Barland, be, and the same hereby is, for ever vested in the corporation of said city, so as not to affect the legal or equitable claims of any individuals, or of any body politic, or corporate, if any such there be: *Provided*, That the said land, as above described, be neither cultivated nor occupied by buildings, but that it be planted with trees, and preserved as a common, for the use, comfort, and health of the inhabitants of the city aforesaid, and all other persons who may occasionally resort thither. (b)

Right of the United States in land near and adjoining to Natchez, vested in the corporation of that city.

Proviso.

SEC. 6. *And be it further enacted*, That whenever the section No. 16, shall fall upon land already granted, by virtue of any act of Congress, or claimed by virtue of a British grant, the Secretary of the Treasury shall locate another section, in lieu thereof, for the use of schools, which location shall be made in the same township, if there be any other vacant section therein, and otherwise, in an adjoining township. (c)

Section 16, how to be located if it shall have fallen upon any land claimed by virtue of a British grant.

SEC. 7. *And be it further enacted*, That Richard Sparks be permitted to enter with the register of the land office, for the district west of Pearl River, his claim to three hundred and twenty acres of land, lying within said district; and that Richard S. Bryan, and George Brewer, senior, be permitted to enter with the register of the land office, for the district east of Pearl River, their certificate of a right of pre-emption for three hundred and twenty acres of land, lying within the district last mentioned: and such entry of the claim of the said Richard Sparks shall have the same effect, as if it had been made prior to the first day of December, one thousand eight hundred and four, and such entry of the certificate of the said Richard S. Bryan and George Brewer, senior, shall have the same effect as if it had been made within three months from the time it was issued.

Where Richard Sparks' claim is to be entered.

Also those of Richard S. Bryan and George Brewer, sr.

(a) See Nos. 718, 723, 731, 737, 745, 753, 1067, 1265, 1266, 1268, 1270, 1275, 1276, 1284, 1286, 1287, 1292, 1294, 1296, 1299, 1300, 1310, 1318, 1322, 1324, 1333, 1334, 1336, 1386, 1388, 1399.

(b) See No. 1275.

(c) See Nos. 1266, 1275, 1277, 1295, 1298, 1305, 1315, 1339, 1365, 1366, 1375, 1387, 1402, 1406, 1416.

NO. 1272.—AN ACT making appropriations for carrying into effect a treaty between the United States and the Chickasaw tribe of Indians; and to establish a land office in the Mississippi Territory.

March 3, 1807.
Vol. 2, p. 440.

SEC. 2. *And be it further enacted*, That it shall be the duty of the surveyor-general of the public lands, south of Tennessee, to cause to be surveyed and laid out, in the same manner as is provided by law for the other public lands in the Mississippi Territory, so much of the lands ceded to the United States by the Cherokees and Chickasaws, as lies within the said Territory, (a) and the President of the United States is hereby authorized, whenever he shall think it proper, to establish a land office for the sale of the said lands, and to appoint a register of the same, and a receiver of the public monies accruing from the sale of the said lands, whose respective emoluments and duties shall be the same as those of the registers and receivers of the other land offices in the said Territory. (b)

Surveyor-general to cause lands ceded by the Cherokees and Chickasaws in Mississippi, to be surveyed.

President authorized to establish a land office.

(a) See Nos. 37, 777, 1266, 1269, 1298, 1305, 1343, 1356.

(b) See Nos. 731, 1266, 1275, 1279, 1298, 1305, 1310, 1315, 1328, 1349, 1355, 1363, 1373, 1410.

NO. 1273.—AN ACT confirming claims to land in the district of Vincennes, and for other purposes.

March 3, 1807.
Vol. 2, p. 446.

SEC. 8. *And be it further enacted*, That persons entitled to a right of pre-emption to lands in the Mississippi Territory, shall be allowed till the first day of January next, to make the first payment of the purchase money of such lands. (a)

Time for payment extended.

(a) See Nos. 36, 59, 433, 1266, 1267, 1274, 1275, 1276, 1277, 1279, 1281, 1288, 1292, 1293, 1298, 1301, 1305, 1315, 1323, 1327, 1336, 1361, 1382, 1391, 1408, 1414, 1416, 1417.

Jan. 19, 1808.
Vol. 2, p. 455.

No. 1274.—AN ACT supplemental to an act, intituled "An act regulating the grants of land, and providing for the disposal of the lands of the United States, south of the State of Tennessee."

Actual settlers entitled to a preference in becoming purchasers.

Proviso: that such tract of land shall not exceed one section, and shall be surveyed agreeably to sectional lines already established.

Notice to be given by persons claiming under the foregoing section.

Their rights otherwise forfeited.

Time allowed to persons having pre-emption rights.

This act not to extend to certain other claimants.

Be it enacted, That every person and the legal representative of every person, who being either the head of a family or above the age of twenty-one years, and who did on the third day of March, one thousand eight hundred and seven, actually inhabit and cultivate a tract of land not claimed by virtue of a certificate granted by the boards of commissioners east and west of Pearl River, in the Mississippi Territory, and who has obtained permission to remain on such tract or tracts of land agreeably to an act, intituled "An act to prevent settlements being made on lands ceded to the United States, until authorized by law," shall be entitled to a preference in becoming the purchaser from the United States of such tract of land, at the price at which the other lands of the United States in the said Territory, are directed to be sold, and payment may be made therefor in the same manner, and under the same conditions as directed by law for such other lands: *Provided*, That such tract of land shall not exceed one section: *And provided also*, That the same shall be surveyed agreeably to the sectional lines already established, or which may hereafter be established by the surveyor of the lands of the United States south of the State of Tennessee.

SEC. 2. *And be it further enacted*, That every person claiming a tract of land by virtue of this act shall, before the first day of October next, deliver to the register of the land office within whose district the land may be, a notice of his claim in writing, together with a plat of the tract of land claimed; and if any person shall fail to deliver such notice and plat, the person or persons so failing, shall forfeit all claim or pretension of claim to such tract of land, and the same shall be sold with the other lands of the United States in said Territory.

SEC. 3. *And be it further enacted*, That persons entitled to a right of pre-emption under the first section of this act, shall be allowed until the first day of January, one thousand eight hundred and nine, to make the first payment of the purchase money of such tract or tracts of land as may be claimed by virtue of said section, and the residue of the said purchase money shall be paid in the same manner, and under the same conditions as directed for the other lands in said Territory. (a)

SEC. 4. *And be it further enacted*, That this act shall not extend to any person or persons claiming other lands in said Territory in his or their own right, by virtue of British or Spanish grants, or to any person or persons to whom a donation has been granted, by either of the said boards of commissioners.

(a) See Nos. 36, 59, 433, 1266, 1267, 1273, 1275, 1276, 1277, 1279, 1281, 1282, 1292, 1293, 1298, 1301, 1305, 1315, 1323, 1327, 1336, 1361, 1382, 1391, 1408, 1414, 1416, 1417.

March 31, 1808.
Vol. 2, p. 479.

No. 1275.—AN ACT concerning the sale of the lands of the United States, and for other purposes.

Public lands may be offered for sale in such proportions as the President chooses.

Part of a former act revived.

Settlers on the river Mobile allowed a further time to put in their claims.

Be it enacted, &c., That whenever the President of the United States has been or may be authorized to cause the public lands, in any land district, to be offered for sale, it shall be lawful, whenever he shall think it convenient, to offer for sale, at first, only a part of the lands contained in such district, and at any subsequent time or times, to offer for sale in the same manner, any other part, or the remainder of the lands contained in the same. (a)

SEC. 2. *And be it further enacted*, That the fourth section of an act passed the twenty-first day of April, one thousand eight hundred and six, intituled "An act in addition to an act intituled An act regulating the grants of land, and providing for the disposal of the lands of the United States south of the State of Tennessee," be revived and continued in force until the first day of October next: and in any case where a donation shall be granted in lieu of a pre-emption certificate, agreeable to the provisions of the said fourth section, the money, if any shall have been paid, shall be by the receiver of the public money repaid to the person or persons who have paid the same.

SEC. 3. *And be it further enacted*, That certain settlers on the river Mobile, in the Mississippi Territory, east of Pearl River, who reside near the line of demarcation, between the United States and Spain, run in pursuance of the treaty of the twenty-seventh day of October, one thousand seven hundred and ninety-five, and whose claims to land has

not been decided on according to law, shall be allowed until the first day of October next, to file a notice in writing with the register of the land office, stating the nature and extent of their claims, together with a plat of the tract or tracts claimed; and the said register of the land office, and the receiver of public monies, are hereby required to hear and determine such claims according to the several acts of Congress "regulating the grants of land and providing for the disposal of the lands of the United States south of the State of Tennessee," and to grant certificates in the form heretofore prescribed by the board of commissioners in said district.

SEC. 4. *And be it further enacted,* That it shall be the duty of the registers of the land office east and west of Pearl River, in the Mississippi Territory, to transmit to the Secretary of the Treasury of the United States, on or before the first day of November next, a full and fair report of all the claims of certain persons to lands in the Mississippi Territory, founded upon British or Spanish warrants or orders of survey granted prior to the twenty-seventh day of October, one thousand seven hundred and ninety-five, not confirmed by former laws regulating the grants of lands in said Territory, which have heretofore been regularly filed with the register of the land office aforesaid, together with the evidence in support of such claims respectively, and to be by him laid before Congress at their next ensuing session. And the land contained in such warrants or orders of survey shall not be disposed of until otherwise directed by law. (b)

Reports to be made by the registers of the land offices east and west of Pearl River, to the Secretary of the Treasury, &c.

SEC. 5. *And be it further enacted,* That that part of the lands to which the Indian title was extinguished by the treaty with the Choctaw nation made on Mount Dexter, in the year one thousand eight hundred and five, lying on the east of Pearl River, shall be attached to the land district east of Pearl River, and that the residue of the lands to which the Indian title was extinguished by said treaty, shall be attached to the land district west of Pearl River; (c) and the said lands shall, with the exception of section number sixteen, which shall be reserved in each township for the use of schools within the same, (d) and also with the exception of fifteen hundred acres of land, which is hereby confirmed to John M'Grew, in compliance with the fourth article of said treaty, be offered for sale under the same regulations, at the same prices, and on the same terms as other lands lying within the said districts. (a)

Certain lands to which Indian title has been extinguished, to be attached to land district east of Pearl River.

SEC. 6. *And be it further enacted,* That every person and the legal representatives of every person, who being either the head of a family, or above the age of twenty-one years, who did before the third day of March, one thousand eight hundred and seven, actually inhabit and cultivate a tract of land in the Mississippi Territory, belonging to the United States, shall be allowed until the first day of October next, to obtain permission to remain on such tract or tracts of land, according to the provisions of the act, intituled "An act to prevent settlements being made on lands ceded to the United States until authorized by law," and the person or persons obtaining such permission shall be entitled to all the benefits, rights and privileges granted by law to those who obtained the same power prior to the first day of January, one thousand eight hundred and eight.

Actual settlers on lands of the United States in Mississippi Territory, allowed a further time.

SEC. 7. *And be it further enacted,* That the right of the United States to two town lots lying and being in the city of Natchez be, and the same is hereby forever vested in the corporation of the said city, so as not to affect the legal or equitable claims of any individuals, or of any body politic or corporate, if any such there be. (e)

Right of the United States to two town lots ceded to the corporation of Natchez.

SEC. 8. *And be it further enacted,* That whenever the claims of persons having a right of pre-emption in either of the districts east or west of Pearl River, shall interfere with each other, the register and receiver of public monies are hereby authorized in their respective districts so to regulate their locations as to prevent such interference. (a)

Interfering claims in districts east and west of Pearl River, how to be settled.

(a) See Nos. 36, 59, 433, 1266, 1267, 1273, 1274, 1276, 1277, 1279, 1281, 1288, 1292, 1293, 1298, 1301, 1305, 1315, 1323, 1327, 1336, 1361, 1362, 1391, 1408, 1414, 1416, 1417.

(b) See Nos. 718, 723, 731, 737, 745, 753, 1067, 1265, 1266, 1268, 1270, 1271, 1276, 1284, 1286, 1287, 1292, 1294, 1296, 1299, 1300, 1310, 1318, 1322, 1324, 1333, 1334, 1336, 1366, 1368, 1399.

(c) See Nos. 731, 1266, 1272, 1279, 1298, 1305, 1310, 1315, 1328, 1349, 1355, 1363, 1373, 1410.

(d) See Nos. 1266, 1271, 1277, 1295, 1298, 1305, 1315, 1339, 1365, 1366, 1375, 1387, 1402, 1406, 1416.

(e) See No. 1271.

Feb. 28, 1809.
Vol. 2, p. 526.

No. 1276.—AN ACT for the disposal of certain tracts of land in the Mississippi Territory, claimed under Spanish grants, reported by the land commissioners as antedated, and to confirm the claims of Abraham Ellis and Daniel Harregal.

Lands covered
by rejected
claims to be sold
as other public
lands.

Be it enacted, &c., That the several tracts of land, in the Mississippi Territory, the titles to which have been derived under Spanish claims and which have been disallowed by the boards of commissioners east and west of Pearl River, on suspicion of the grants, warrants or orders of survey, on which the claims are grounded, being antedated or otherwise fraudulent, and which are embraced in the report of the said boards of commissioners, laid before Congress, agreeable to the third section of an act, intituled, "An act supplementary to the act intituled An act regulating the grants of land, and providing for the disposal of the lands of the United States, south of the State of Tennessee," shall be, and the same are hereby directed to be sold, in the same manner, at the same price, and on the same terms and conditions, as have been, or may be by law provided for the sale of the other public lands in the said Territory; (a) and any person or persons claiming under a Spanish grant, warrant or order of survey as aforesaid, shall be entitled to institute, in the highest court of law or equity in the said Territory, his or their suit or action for the recovery of the tract or tracts so claimed as aforesaid: *Provided*, Such claimant or claimants shall institute his or their suit or action within the term of one year from and after the tract or tracts so claimed shall have been sold by the United States, or in case the same is now inhabited and cultivated, in virtue of a pre-emption right, within one year from and after the passing of this act; and if any person or persons, claiming lands as aforesaid, shall fail or neglect to commence or institute his or their suit or action, in the manner and within the time prescribed by this section, or shall be non-suit or discontinue the same, his or their right to commence such suit or action, in any court whatsoever, shall be forever barred and foreclosed.

Proviso.

Grants to be
valid, must have
been surveyed
before October
27, 1795.

SEC. 2. *And be it further enacted*, That if the person or persons claiming under such grant, warrant or order of survey, shall make it appear to the satisfaction of the court, before whom such suit or action shall be pending, that the tract of land therein specified, was actually surveyed prior to the twenty-seventh day of October, one thousand seven hundred and ninety-five, then, and in that case, the same shall be deemed and held to be good and valid, to all intents and purposes, any thing in this act to the contrary notwithstanding: But in case the claimant or claimants shall fail to prove the tract or tracts of land so claimed, to have been actually surveyed prior to the twenty-seventh day of October, one thousand seven hundred and ninety-five, or in case the same shall appear to be otherwise fraudulent or illegal, the grant, warrant or order of survey, granted by the Spanish Government, as aforesaid, by virtue of which such tract or tracts of land may be claimed, shall be, and the same is hereby declared null and void, to all intents and purposes, and shall not be read in evidence against any claim or certificate of pre-emption, derived from the United States.

Parole evi-
dence lawful for
supporting or in-
validating
grants.

SEC. 3. *And be it further enacted*, That it shall be lawful, in the trial of such suit or action, for either party to introduce parole evidence for the purpose of supporting or invalidating the grant, warrant or order of survey as aforesaid; and the judgment, sentence or decree of the said highest court of law or equity, in the cases aforesaid, shall be final and conclusive between the parties, and may be plead in bar to any subsequent suit or action brought in the same or any other court, for the recovery of the same land or any part thereof. (b)

Abraham Ellis
confirmed in his
title to a tract of
land.

SEC. 4. *And be it further enacted*, That Abraham Ellis be, and he is hereby confirmed in a tract of land granted by the British Government of West Florida to Stephen Jordan, containing the quantity of two hundred acres, lying and being on the waters of Boyd's Creek, according to the metes and bounds of said tract of land set forth in the plat thereof made by the surveyor-general of said province of West Florida; and that the amount of money which the said Ellis may have been compelled to pay to the receiver of public monies west of Pearl River, in the Mississippi Territory, for said tract of land, be refunded to him by the receiver aforesaid.

Daniel Harre-
gal also con-

SEC. 5. *And be it further enacted*, That Daniel Harregal be and he is hereby confirmed in his title in fee-simple to the tract of land whereon

he resides, containing the quantity of five hundred and fifty acres, ^{firm}ed in his agreeably to a plat thereof filed with the register of the land office, west title. of Pearl River, in the Mississippi Territory.

- (a) See Nos. 36, 59, 433, 1266, 1267, 1273, 1274, 1275, 1277, 1279, 1281, 1288, 1292, 1293, 1298, 1301, 1305, 1315, 1323, 1327, 1336, 1361, 1382, 1391, 1408, 1414, 1416, 1417.
 (b) See Nos. 712, 723, 731, 737, 745, 753, 1067, 1275, 1284, 1286, 1287, 1292, 1294, 1296, 1299, 1300, 1310, 1318, 1322, 1324, 1333, 1334, 1336, 1386, 1388, 1399.

No. 1277.—AN ACT supplementary to an act, entitled "An act making appropriations for carrying into effect a treaty between the United States and the Chickasaw tribe of Indians; and to establish a land office in the Mississippi Territory."

June 15, 1809.
Vol. 2, p. 548.

Be it enacted, &c., That so much of the lands ceded to the United States by the Cherokee and Chickasaw Indians, as lies within the Mississippi Territory, and for which a land office was directed to be established, by the second section of the act to which this act is a supplement, shall, with the exception of section number sixteen in each township, which shall be reserved for the use of schools within the same, (a) and with the exception of the salt springs and lands contiguous thereto, which, by the direction of the President of the United States, may be reserved for the future disposal of the said United States, be offered for sale to the highest bidder, under the direction of the register of the land office and of the receiver of public monies, at the place where the land office is established; and on the day or days which shall have been designated by proclamation of the President of the United States for that purpose, the sales shall remain open for six weeks, and no longer; the lands shall not be sold for less than two dollars an acre, and shall be sold in tracts of the same size, and in all respects on the same terms and conditions as have been or may be by law provided for the sale of the other public lands in the Mississippi Territory. All the lands of the United States in the said district, with the exceptions above mentioned, remaining unsold at the close of the public sales, may be disposed of at private sale, by the register of the land office, in the same manner, under the same regulations, for the same price, and on the same terms and conditions as are or may be provided by law, for the sale of the lands of the United States in the Mississippi Territory; and patents shall be obtained for lands sold in said district, in the same manner, and on the same terms as are provided by law for other public lands sold in the Mississippi Territory. (b)

Lands ceded by the Cherokees, &c., to be offered for sale.
Reservations, &c.

The sales to remain open for six weeks, after which the lands may be sold at private sale.

SEC. 2. *And be it further enacted,* That the superintendents of the public sales, directed by this act, shall each receive six dollars a day, for every day's attendance on the said sales.

Compensation to superintendents of sales.

- (a) See Nos. 1266, 1271, 1275, 1295, 1298, 1305, 1315, 1339, 1365, 1366, 1375, 1387, 1402, 1406, 1416.
 (b) See Nos. 36, 59, 433, 1266, 1267, 1273, 1274, 1275, 1276, 1279, 1281, 1288, 1292, 1293, 1298, 1301, 1305, 1315, 1323, 1327, 1336, 1361, 1382, 1391, 1408, 1416, 1417.

No. 1278.—A PROCLAMATION by the President of the United States respecting taking possession of part of Louisiana.

Oct. 27, 1810.
Vol. 11, p. 761.

[Possession to be taken of territory south of Mississippi Territory, east of Mississippi River, and extending to Perdido River. See LOUISIANA, No. 707.]

No. 1279.—AN ACT providing for the removal of the land office established at Nashville, in the State of Tennessee, and Canton in the State of Ohio; and to authorize the register and receiver of public monies to superintend the public sales of land in the district east of Pearl River.

Feb. 25, 1811.
Vol. 2, p. 649.

Be it enacted, &c., That the President of the United States be, and he hereby is authorized to remove the land office established for the sale of public lands ceded to the United States by the Cherokee and Chickasaw Indians in the Mississippi Territory, from Nashville, to such place within the district for which it was established as he may judge most proper; and to remove the land office from Canton in the State of Ohio, to some suitable place within the district for which it was established. (a)

President authorized to remove certain land offices from Nashville and from Canton.

SEC. 2. *And be it further enacted,* That the public sales of the public lands, in the district east of Pearl River, in the Mississippi Territory, and also in the district of Kaskaskia, in the Illinois Territory, be conducted under the superintendence alone of the register and receiver of public monies for the said districts, who are hereby authorized and empowered to superintend the same, in their respective districts, any

By whom public sales of public lands in the district east of Pearl river are to be conducted.

law to the contrary notwithstanding; and they shall receive the compensation provided by law for the superintendence of public sales in the district aforesaid. (b)

(a) See Nos. 731, 1266, 1272, 1275, 1298, 1305, 1310, 1315, 1328, 1349, 1355, 1363, 1373.

(b) See Nos. 36, 59, 433, 1266, 1267, 1273, 1274, 1275, 1276, 1277, 1281, 1288, 1292, 1293, 2298, 1301, 1305, 1415, 1323, 1327, 1336, 1361, 1382, 1391, 1408, 1414, 1416, 1417.

March 3, 1811. **No. 1280.**—AN ACT for the relief of Richard Tervin, William Coleman, Edwin Lewis, Samuel Mims, and Joseph Wilson, of the Mississippi Territory.

Donation certificate for a tract of land granted to Richard Tervin, on his producing certain evidence.

Be it enacted, &c., That Richard Tervin be, and he is hereby, authorized to produce to the register of the land office, and the receiver of public moneys, for the district east of Pearl River, in the Mississippi Territory, evidence of his having inhabited and cultivated a tract of land in said Territory, prior to the thirtieth day of March, one thousand seven hundred and ninety-eight; and in case such evidence shall be produced, the said register and receiver are required to grant to the said Richard Tervin a donation certificate for such tract of land, not exceeding six hundred and forty acres.

To William Coleman.

SEC. 2. *And be it further enacted,* That William Coleman be, and he is hereby authorized to produce to the said register and receiver, evidence of his right to a donation of a tract of land on the Tombigbee River in said Territory; and in case he shall produce satisfactory evidence to the said register and receiver, that he was entitled to a donation of such tract, according to the provisions of the second section of the act entitled "An act regulating the grants of land and providing for the disposal of the lands of the United States, south of the State of Tennessee," and the acts supplementary thereto, it shall then be lawful for the said William Coleman to locate a quantity of land equal to that to which he was entitled under the above-mentioned provisions, on any lands of the United States, which shall have been offered at public sale, in the said district, and that shall then remain unsold; and it shall be the duty of the said register and receiver to issue a donation certificate to the said William Coleman, for the land so located by him.

Right of pre-emption vested in Edwin Lewis.

SEC. 3. *And be it further enacted,* That Edwin Lewis be entitled to the right of pre-emption in five acres of land, situate within the boundaries of a tract of land, whereon he resides, which five acres were heretofore used for an encampment, for the troops of the United States, so soon as the same shall cease to be used for that purpose; the said five acres to be paid for at the same price, on the same terms and conditions, as are provided for lands granted by right of pre-emption in the Mississippi Territory.

Title of Samuel Mims confirmed, &c.

SEC. 4. *And be it further enacted,* That Samuel Mims be, and he is hereby confirmed in his title to a tract of land, containing five hundred and eighty-four acres, granted by the British Government of West Florida, to William Clark, so as not to deprive the heirs of said Clark, or any other person or persons, of their legal remedy, if any they have, for the recovery of said land from said Mims, his heirs or assigns.

Joseph Wilson authorized to enter certificate of pre-emption right, &c.

SEC. 5. *And be it further enacted,* That Joseph Wilson be, and he is hereby authorized to enter with the register of the land office his certificate of pre-emption right, granted to him by the board of commissioners, for the district east of Pearl River, in the Mississippi Territory, for the quantity of four hundred and eighty acres of land, lying on the Tombigbee River in said Territory; and that payment be made therefor, at the same price, and on the same terms and conditions, as are provided by law, for other lands granted in right of pre-emption in said Territory.

Dec 12, 1811. Vol. 2, p. 663.

No. 1281.—AN ACT allowing further time for completing the payments on certain lands held by right of pre-emption, in the Mississippi Territory.

Purchasers allowed until Jan. 1, 1813, to complete their payments.

Be it enacted, &c., That all the purchasers of public lands, by right of pre-emption in the Mississippi Territory, who have made payment of their first instalment of the purchase money, be allowed until the first day of January, one thousand eight hundred and thirteen, to complete the payments on their lands, respectively, any law to the contrary notwithstanding. (a)

(a) See Nos. 36, 59, 433, 1266, 1267, 1273, 1274, 1275, 1276, 1277, 1279, 1288, 1292, 1293, 1298, 1301, 1305, 1315, 1323, 1327, 1336, 1361, 1382, 1391, 1408, 1414, 1416, 1417.

No. 1282.—AN ACT authorizing the Secretary of the Treasury to locate the lands reserved for the use of Jefferson College, in the Mississippi Territory.

Feb. 20, 1812.
Vol. 2, p. 679.

Be it enacted, &c., That the Secretary of the Treasury be, and he is hereby authorized and empowered to locate in one body, the thirty-six sections of land reserved for the use of Jefferson College in the Mississippi Territory, by an act, entitled "An act regulating the grants of land, and providing for the sale of the lands of the United States south of the State of Tennessee," passed on the third day of March, one thousand eight hundred and three, on any lands within the said Territory not sold, or otherwise disposed of, and to which the Indian title has been extinguished. (a)

The Secretary of the Treasury to locate in one body the thirty-six sections of land reserved for Jefferson College by the act of March 3, 1803.

(a) See Nos. 1266, 1268, 1346.

No. 1283.—AN ACT for the relief of Thomas O'Bannon.

Feb. 24, 1812.
Vol. 6, p. 104.

Be it enacted, &c., That Thomas O'Bannon be permitted to withdraw his entry in the land office of Madison County, Mississippi Territory, from the southeast quarter of section two, township two, range one, west; and the money paid by him on the said entry, shall be placed to his credit on any purchase he shall or may have made of public land in the same district: *Provided,* It shall satisfactorily appear to the register of the said office, that the range two, west, has been, by error of the surveyor, marked range one.

Entry may be withdrawn and located elsewhere.

Proviso.

No. 1284.—AN ACT for ascertaining the titles and claims to lands in that part of the Louisiana which lies east of the river Mississippi and island of New Orleans.

April 25, 1812.
Vol. 2, p. 713.

[See LOUISIANA, No. 718.]

No. 1285.—AN ACT to enlarge the boundaries of the Mississippi Territory.

May 14, 1812.
Vol. 2, p. 734.

Be it enacted, &c., That all that portion of territory lying east of Pearl River, west of the Perdido, and south of the thirty-first degree of latitude, be, and the same is hereby annexed to the Mississippi Territory; to be governed by the laws now in force therein, or which may hereafter be enacted, and the laws and ordinances of the United States, relative thereto, in like manner as if the same had originally formed a part of said Territory; and until otherwise provided by law, the inhabitants of the said district hereby annexed to the Mississippi Territory, shall be entitled to one representative in the general assembly thereof. (a)

Boundaries of the Mississippi Territory enlarged.

(a) See Nos. 1264, 1265, 1303, 1304, 1306.

No. 1286.—AN ACT confirming claims to lands in the Mississippi Territory, founded on warrants of survey granted by the British or Spanish Government.

June 30, 1812.
Vol. 2, p. 765.

Be it enacted, &c., That every person, and the legal representative of every person claiming lands in the Mississippi Territory by virtue of a British or Spanish warrant or order of survey, granted prior to the twenty-seventh day of October, one thousand seven hundred and ninety-five, who were on that day actually resident in the said Territory, and whose claims have been regularly filed with the proper register of the land office east and west of Pearl River, according to law, and reported to Congress, agreeably to the fourth section of the act entitled "An act concerning the sale of the lands of the United States, and for other purposes," passed on the thirty-first day of March, one thousand eight hundred and eight, be and they are hereby confirmed in their rights to land so claimed. And the register and receiver of public monies for the district within which the lands may lie, are authorized and required to make out to such claimant or claimants, entitled thereto by the provisions of this act, a certificate of confirmation, for each of which certificates the register and receiver shall each receive one dollar, directed to the Commissioner of the General Land Office; and if it shall appear to the satisfaction of the said Commissioner that such certificates have been fairly obtained, according to the true intent and meaning of this act, then and in that case patents shall be granted in like manner as is provided by law for the other lands of the United States: *Provided,* That no person shall be entitled to the benefit of this act who shall not appear by the report made to Congress as aforesaid or by the records of

Certain claims confirmed.

Register and receiver to make out certificates of confirmation.

Patents to be granted on such certificates.

Proviso.

Proviso.

This act not to affect judicial decisions of a certain kind.

the boards of commissioners for the said Territory to have been a resident of said Territory on the twenty-seventh day of October one thousand seven hundred and ninety-five; nor shall any person be entitled to the benefit thereof who has received a donation grant from the United States: *Provided also*, That not more than six hundred and forty acres shall by virtue of this act be granted to any one claim.

SEC 2. *And be it further enacted*, That nothing in this act contained shall be construed to affect the decisions of the courts of justice in the said Territory, heretofore made respecting the claims, or any part thereof, embraced by the preceding section, or to prevent a judicial decision between the holder of a British patent, legally and fully executed and recorded with the register of the land office east or west of Pearl River, and the persons whose claims are confirmed by the preceding section where such claims interfere. (a)

(a) See Nos. 718, 723, 731, 737, 745, 753, 1067, 1265, 1266, 1268, 1270, 1271, 1275, 1276, 1284, 1287, 1292, 1294, 1296, 1299, 1300, 1310, 1318, 1322, 1324, 1333, 1334, 1336, 1386, 1388, 1399.

July 5, 1812.
Vol. 2, p. 776.

No. 1287.—AN ACT confirming grants to lands in the Mississippi Territory derived from the British Government of West Florida, not subsequently regranted by the Government of Spain or of the United States.

Certain claims to land in Mississippi Territory confirmed which have been derived from the British Government.

Be it enacted, &c., That citizens of the United States, claiming lands in the Mississippi Territory, by virtue of grants legally and fully executed, derived from the British Government of West Florida, whose lands have not been subsequently regranted by the Spanish Government or claimed in right of donation or pre-emption certificates granted by the boards of commissioners east and west of Pearl River, and whose claims have been regularly filed according to law, with the proper register of the land office in the said Territory, and are embraced in the report of the commissioners laid before Congress, according to law, be and they are hereby confirmed in their respective claims, according to the said grants: *Provided*, That nothing in any law of the United States shall be construed to prevent a judicial decision of controversies under the respective claims aforesaid. (a)

Proviso.

(a) See Nos. 718, 723, 731, 737, 745, 753, 1067, 1265, 1266, 1268, 1270, 1271, 1275, 1276, 1284, 1286, 1292, 1294, 1296, 1299, 1300, 1310, 1318, 1322, 1324, 1333, 1334, 1336, 1386, 1388, 1399.

July 6, 1812.
Vol. 2, p. 782.

No. 1288.—AN ACT supplementary to the act entitled "An [act] giving further time to purchasers of public lands northwest of the river Ohio, to complete their payments."

[Provisions of the act to which this is a supplement extended to purchasers of certain fractional sections in the Mississippi Territory. See OHIO, No. 59.]

Jan. 27, 1813.
Vol. 6, p. 116.

No. 1289.—AN ACT for the relief of John Binnion.

Allowed to withdraw his entries in the land office of Madison County, &c.

Be it enacted, &c., That John Binnion be permitted to withdraw his entries made on the eighteenth day of September, eighteen hundred and ten, in the land office of Madison County, Mississippi Territory, for the northwest, northeast and southeast quarters of section No. thirty-four, township No. three of range No. two, east, and that the moneys paid by him on the said entries shall be placed to his credit on any purchase he shall or may have made of public land in the same district: *Provided*, It shall appear to the satisfaction of the register and receiver of public moneys of the said land office that the entries for the said quarter-sections were made in mistake for other quarter-sections intended to have been purchased by said Binnion.

Proviso.

Feb. 12, 1813.
Vol. 3, p. 472.

No. 1290.—AN ACT authorizing the President of the United States to take possession of a tract of country lying south of the Mississippi Territory and west of the river Perdido.

The President authorized to occupy West Florida west of the Perdido, &c.

Be it enacted, &c., That the President be, and he is hereby, authorized to occupy and hold all that tract of country called West Florida, which lies west of the river Perdido, not now in possession of the United States.

SEC. 2. *And be it further enacted*, That, for the purpose of occupying and holding the country aforesaid, and of affording protection to the inhabitants thereof, under the authority of the United States, the President may employ such parts of the military and naval force of the United States as he may deem necessary.

The President may employ the military and naval force for holding the country, &c.

SEC. 3. *And be it further enacted*, That for defraying the necessary expenses, twenty thousand dollars are hereby appropriated, to be paid out of any moneys in the Treasury not otherwise appropriated, and to be applied for the purposes aforesaid, under the direction of the President.

Appropriation of \$20,000.

No. 1291.—AN ACT granting Moses Hook the right of pre-emption.

Jan. 25, 1814.
Vol. 6, p. 127.

Be it enacted, &c., That Moses Hook, of the Mississippi Territory, shall have the right of pre-emption to three hundred acres of land, including his improvements, and designated on the plat or map of the township as number fourteen: *Provided*, That said Moses Hook enter the said tract of land with register of the land office for the land district west of Pearl River, and make the first payment for the same within six months from the passage of this act, and complete his payments as prescribed by law.

Right of pre-emption granted to him.

No. 1292.—AN ACT providing for the indemnification of certain claimants of public lands in the Mississippi Territory.

March 31, 1814.
Vol. 3, p. 116.

Be it enacted, &c., That every person or persons claiming public lands in the Mississippi Territory, south of the State of Tennessee and west of the State of Georgia, under the act, or pretended act of the State of Georgia, entitled "An act supplementary to an act, entitled 'An act for appropriating a part of the unlocated territory of this State for the payment of the late State troops and other purposes therein mentioned, declaring the right of this State to the unappropriated territory thereof, for the protection and support of the frontiers of this State and for other purposes,'" passed January the seventh, one thousand seven hundred and ninety-five, who have exhibited the evidence of their claims to the Secretary of State, for the purpose of having the same recorded in books in his office, conformable to the act of Congress, passed the third day of March, one thousand eight hundred and three, entitled "An act regulating the grants of lands, and providing for the disposal of the lands of the United States, south of the State of Tennessee," shall be allowed until the first Monday of January next, to deposit in the office of the Secretary of State of the United States, a sufficient legal release of all such claim or claims to the United States, and an assignment and transfer to the United States of their right and claim to any sum or sums of money which by them, or the persons from whom they or any of them have derived their claims, were deposited or paid into the treasury of the State of Georgia, as the consideration of the purchase of the land for which their release of claim is deposited as aforesaid; and also, a power to sue, in the name of such claimant, for any sum or sums of money assigned as aforesaid, and which shall have been unlawfully or fraudulently withdrawn from the treasury of the State of Georgia, such release, assignment, transfer, and power, to take effect on the indemnification of such claimants being made conformably to the provisions of this act.

Conditions of indemnification.

SEC. 2. *And be it further enacted*, That the Secretary of State, the Secretary of the Treasury, and the Attorney-General of the United States (for the time being) shall be, and they are hereby constituted and appointed a board of commissioners, to meet in the City of Washington, on the first Monday of January next; and as soon as may be practicable thereafter, they or any two of them, are hereby fully authorized and required to adjudge and determine upon the sufficiency of the releases and assignments and powers to be executed and deposited in the office of the Secretary of State in conformity with the foregoing section; and also to adjudge and finally determine upon all controversies arising from such claims so released as aforesaid, which may be found to conflict with, and to be adverse to, each other; and also to adjudge and determine upon all such claims under the aforesaid act, or pretended act of the State of Georgia, as may be found to have accrued to the United States by operation of law: *Provided*, That it shall be the duty

Commissioners to ascertain and decide upon conflicting claims.

of the said commissioners to cause to be published for the period of three months before the said meeting, at least once a week, in all the public newspapers in which the acts of Congress are by authority published, notice of the purposes and of the time and place of such meeting.

Certificates of stock to be issued upon report of the board of commissioners.

SEC. 3. *And be it further enacted*, That as soon as the said commissioners shall have made report to the President of the United States of the sufficiency of such releases and assignments, to the amount of at least nine-tenths of the whole lands claimed by virtue of the sales made by the legislature of the State of Georgia to the respective companies hereafter enumerated, exclusive of such claims to the said lands as shall have vested in the United States by the operation of law, and shall have certified to him the names of the claimants, whose claims they have finally adjudged and allowed, and the respective and relative proportions on which they are entitled to the indemnity under and by virtue of this act, the President shall be and he hereby is authorized and required to cause to be issued from the Treasury of the United States, to such claimants respectively, (of convenient amount for circulation) certificates of stock, not bearing interest, and expressing on their face, that the same are payable out of the first moneys in the Treasury of the United States, arising from the sale of public lands in the Mississippi Territory, after the money due to the State of Georgia and the expenses of surveying such lands have been satisfied.

Upper Mississippi Company.

To the persons claiming in the name of, or under the Upper Mississippi Company, including such share or shares as may be found to have vested in the United States and for which the United States are to be considered entitled to the respective proportions for the same, (and exclusive of all claims usually denominated in the former report of the commissioners aforesaid *citizens' claims*) a sum not exceeding in the whole three hundred and fifty thousand dollars.

Tennessee Company.

To the persons claiming in the name of, or under the Tennessee Company, under the foregoing terms and restrictions, a sum not exceeding in the whole six hundred thousand dollars.

Georgia Mississippi Company.

To the persons claiming in the name of, or under the Georgia Mississippi Company, under the like terms and restrictions, a sum not exceeding in the whole one million five hundred and fifty thousand dollars.

Georgia Company.

To the persons claiming in the name of, or under the Georgia Company, under the like terms and restrictions, a sum not exceeding in the whole two millions two hundred and fifty thousand dollars.

Citizens' rights.

To the persons claiming under citizens' rights, including such share or shares as have already accrued to the United States by operation of law, or by the provisions of this act, and to which the United States are to be considered entitled to the respective proportions for the same, a sum not exceeding in the whole two hundred and fifty thousand dollars:

Provided.

Provided, That any person having claim under either of the said companies, and entitled to indemnity by virtue of this act, shall receive such indemnity only in proportion to the amount of such claims: *And provided also*,

Provided.

That no claim shall be allowed, or any indemnification made therefor, to any person or persons who have voluntarily surrendered the evidence of their claims to the said lands under the act of Georgia of the thirteenth of February, one thousand seven hundred and ninety-six, or under any subsequent act of the said State, and which at the time of the surrender would have vested the title in such claimants had the title from Georgia been valid, or who have received the money deposited as the consideration of the purchase of said land thus surrendered; but all such lands shall be deemed and taken to be vested in the United States, exonerated, and discharged from all such claims without any further surrender or release whatever, and the dividends to be made to claimants who shall be entitled to the benefits of this act shall be lessened in proportion to the claim so surrendered or withdrawn: *And provided also*, That no person or persons, nor the agent or trustee of any person or persons, shall be entitled to the benefits of this act, who, by himself, herself, or themselves, or by his, her, or their agent, or by any person or persons with privity and consent of him, her or them, shall have taken, received, or withdrawn from the treasury of the State of Georgia any sum or sums of money, which had been paid and deposited as the consideration of the purchase of any of the aforesaid lands, which person or persons at the time of the taking, receiving or withdrawing of the said money, was or were not the bona-fide claimant or claimants of the lands for the purchase of which the said money had been deposited: but

Provided.

all and every the share or shares of such person or persons so fraudulently drawing the money as aforesaid, as may be found to have been claimed by such person or persons, at the time of recording in the office of the Secretary of State the evidences of their claim or claims shall be vested in the United States, and the dividends to be made to the claimants entitled to the benefits of this act shall be lessened in proportion thereto: *And provided also*, That each and every person before receiving the certificates of stock aforesaid, shall, after the two foregoing provisos have been read to him, take and subscribe the following oath, viz: "I, A. B., do solemnly swear, or affirm, as the case may be, that I have not, nor has any person for whose interest I now act, either as agent or trustee, or as executor, administrator, or heir at law, done and performed any act, which by the tenor of the two provisos I have heard read to me, would disqualify me from receiving the indemnity afforded by the provisions of this act." (a)

Proviso.

SEC. 4. *And be it further enacted*, That the said certificates of stock shall be receivable in payment of the public lands, to be sold after the date of such certificates, in the Mississippi Territory: *Provided*, That on every hundred dollars to be paid for such land, ninety-five dollars shall be receivable in said certificates, and five dollars in cash: *Provided*, That no person or persons making payment for lands in certificates authorized to be issued by this act, shall be entitled to the discount for prompt payment now allowed by law to purchasers of public lands. (b)

Certificates of stock made receivable for public lands in Mississippi Territory.

Proviso.

SEC. 5. *And be it further enacted*, That from and after such sufficient releases from the claimants to the United States shall be lodged in the office of Secretary of State, as is hereinbefore provided in this act, all such sum or sums of money remaining in the possession of the State of Georgia, which may have been deposited as the consideration of the purchase of the said lands, together with such interest, if any there be, as may have accrued thereon, shall be set over and paid by the said commissioners to the State of Georgia, in part payment of the one million two hundred and fifty thousand dollars, stipulated to be paid by the articles of agreement and cession between the United States and the State of Georgia.

Consideration money to be paid to the State of Georgia.

SEC. 6. *And be it further enacted*, That if any person or persons, in pursuance of the act of the State of Georgia, of the thirteenth of February, one thousand seven hundred and ninety six, or of any subsequent act, shall have taken, received, or withdrawn from the treasury of the State of Georgia, any sum or sums of money which had been paid or deposited as the consideration of the purchase of any of the aforesaid lands, which person or persons at the time of receiving or withdrawing said sum or sums of money as aforesaid, were not the bona-fide claimants of the lands for the purchase of which said money had been paid or deposited: or if such person or persons had not, at the time the legal title vested in them, supposing the title of Georgia to have been valid, every such person or persons who shall have taken, received or withdrawn the money as aforesaid, shall be deemed and adjudged to have had and received the same to and for the use of the United States, and shall be and hereby are declared to be holden and liable to refund and pay to the United States, or to the treasury of the State of Georgia for the use of the United States, all such sum or sums of money so had and received as aforesaid, with legal interest from the time she or they so received the same. And the aforesaid commissioners shall be and they are hereby further authorized and directed to examine into and investigate all cases coming within the purview of this section, and to claim such sum or sums of money to be paid to the United States as to them shall appear just and reasonable, and in case of refusal to pay the same, to direct suits to be commenced for the recovery of the same, in such form and manner as shall be thought most advisable, making plaintiff or complainant, as they shall think best, either the United States, the claimants who shall have transferred to the United States their right of action against the aforesaid persons, or the State of Georgia as bailee of the money so taken, received, and withdrawn from the treasury of the said State: *Provided*, That if it should be thought advisable to institute the suits for the recovery of the moneys aforesaid in the name of the State of Georgia, or of its proper officers, the consent thereto from the proper authority of the State of Georgia shall be first had and obtained: *And provided also*, That the said suits shall be conducted at the proper expense of the United States.

Persons who withdrew money from the treasury of Georgia to be barred.

Proviso.

Proviso.

Vouchers to be obtained from the State of Georgia.

SEC. 7. *And be it further enacted*, That the President of the United States be, and he hereby is authorized to apply to the governor of the State of Georgia, for all such vouchers and testimony within archives or treasury of the said State as may be necessary for carrying into effect the provisions of this act.

Cases of persons under age, &c., provided for.

SEC. 8. *And be it further enacted*, That whenever the legal estate in any of the said lands (supposing the said act of the legislature of the State of Georgia of the seventh of January, seventeen hundred and ninety-five, had been valid and effectual) shall be vested in any person or persons who, at the time of the passing of this act, shall be under the age of twenty-one years, it shall be lawful for the guardian or guardians of such person or persons, appointed in pursuance of the laws of the respective States in which such person or persons shall reside, to execute for and in behalf of such person or persons, and deposit in the office of the Secretary of State of the United States the release, assignment, and power mentioned in the first section of this act; which said release, assignment, and power, so executed and deposited as aforesaid, are hereby declared to be good and effectual to all intents and purposes, and that in case of femes-covert claiming lands under the act, or pretended act of the State of Georgia aforesaid, passed the seventh of January, seventeen hundred and ninety-five, it shall be lawful for the husband and wife to join in the execution of the release, assignment, and transfer mentioned in the first section of this act, and that such release, assignment, and transfer shall be good and effectual as to the interest of such wife: *Provided*, That the release, assignment, and transfer, executed as aforesaid, shall be acknowledged before a judge or justice of a court of record, and shall have the attestation of such judge or justice, certifying that, on the separate examination of the wife, she had acknowledged that she had freely and voluntarily executed the same.

Proviso.

Persons refusing to compromise to be barred from any claim.

SEC. 9. *And be it further enacted*, That if any person or persons claiming lands under the aforesaid act, or pretended act, of the State of Georgia, passed January seventh, seventeen hundred and ninety-five, shall neglect or refuse to compromise and make settlement of all such claim or claims, in conformity with the provisions of this act, the United States shall be, and hereby are declared to be, exonerated and discharged from all such claim or claims, and the same shall be forever barred; and no evidence of any such claim or claims shall be admitted to be pleaded or allowed to be given in evidence in any court whatever against any grant derived from the United States. (a)

(a) See Nos. 718, 723, 731, 737, 745, 753, 1067, 1265, 1266, 1268, 1270, 1271, 1275, 1276, 1284, 1286, 1287, 1284, 1296, 1299, 1300, 1310, 1318, 1322, 1324, 1333, 1334, 1336, 1366, 1368, 1399.

(b) See Nos. 36, 59, 433, 1266, 1267, 1273, 1274, 1275, 1276, 1277, 1279, 1281, 1288, 1293, 1296, 1301, 1305, 1315, 1323, 1327, 1336, 1361, 1382, 1391, 1408, 1414, 1416, 1417.

April 18, 1814. Vol. 3, p. 130. No. 1293.—AN ACT extending relief to certain purchasers of public lands in the Mississippi Territory.

Allowance of one year from June 1, 1814, to certain purchasers.

Be it enacted, &c., That any person or persons having purchased lands of the United States, in the Mississippi Territory, who have been subjected to prosecutions by adverse claimants, who derived their titles from a Spanish grant, warrant, or order of survey, and where such prosecutions have terminated favourably to purchasers from the United States, such purchasers shall have one year from the first day of June next, for the payment of any interest that may be due from them to the United States, on the purchases aforesaid. (a)

(a) See Nos. 36, 59, 433, 1266, 1267, 1273, 1274, 1275, 1276, 1277, 1279, 1281, 1288, 1292, 1296, 1301, 1305, 1315, 1323, 1327, 1336, 1361, 1382, 1391, 1408, 1414, 1416, 1417.

April 18, 1814. Vol. 3, p. 137. No. 1294.—AN ACT supplemental to an act, entitled "An act for ascertaining the titles and claims to lands in that part of Louisiana which lies east of the river Mississippi and island of New Orleans."

[See LOUISIANA, No. 723.]

Jan. 9, 1815. Vol. 3, p. 163.

No. 1295.—AN ACT to provide for leasing certain lands reserved for the support of schools in the Mississippi Territory.

County courts authorized to appoint agents for leasing of the sections of land

Be it enacted, &c., That the county court in each county in the Mississippi Territory shall be, and is hereby authorized to appoint a number of agents, not exceeding five, who shall have power to let out on lease for the purpose of improving the same, the sections of land reserved by Congress for the support of schools, lying within the county for which

the agents respectively are appointed, or to let them out at an annual rent, as they shall judge proper; and it shall be the duty of the said agents, under the direction of the county courts respectively, to apply with impartiality the proceeds arising from the rents of each section as aforesaid, to the purpose of education, and to no other use whatsoever, within the particular township of six miles square, or fractional township wherein such section is situated, in such manner, that all the citizens residing therein may partake of the benefit thereof, according to the true intent of the reservation made by Congress.

for the use of schools.

The proceeds to be applied to this purpose.

SEC. 2. *And be it further enacted*, That for the purpose of forming the aforesaid sections into convenient farms, the said agents shall have power to lay off the same into lots of not less than one hundred and six acres, nor more than three hundred and twenty acres, except in case of fractional sections; and in every case, whether of leases for the improvement of the lots, or for an annual rent, the lessee shall be bound in a suitable penalty not to commit waste on the premises by destroying of timber or removing of stone, or any other injury to the lands whatever.

Sections may be divided into convenient farms.

Lessees to be bound not to commit waste.

SEC. 3. *And be it further enacted*, That the said agents shall have full power within their respective counties, when and so often as they think proper, by legal process, to remove any person or persons from the possession of any of the aforesaid reserved sections, when such person or persons have not taken a lease, and refuse or neglect to take the same; and it shall, moreover, be the duty of the said agents to inspect and inquire into any waste or trespass committed on any of the reserved sections aforesaid, by cutting and carrying off timber or stone, or any other damage that may be done to the same, whether by persons residing thereon or others; and the said agents are hereby authorized, when waste or trespass shall be committed, to proceed against the person or persons committing the same, according to the laws in such case made and provided; and actions in the cases aforesaid shall be sustained by the agents, and the damages recovered shall be one-half to the use of such agents, and the other half to be applied to the same purpose as the proceeds of rents from the land on which the damage was sustained.

Trespassers may be removed by agents, who are authorized to inquire into waste, &c.

SEC. 4. *And be it further enacted*, That for each lease executed by the agents, they shall be entitled to receive the sum of two dollars, to be paid by the lessees respectively.

Fees to agents for leases.

SEC. 5. *And be it further enacted*, That every lease which may be granted in virtue of this act, shall be limited to the period of the termination of the Territorial form of government, in the said Territory; and shall cease to have any force or effect after the first day of January next succeeding the establishment of a State government therein: *Provided*, That outstanding rents may be collected, and damages for waste or trespass may be recovered in the same manner as if the leases had continued in full force. (a)

Limitation of leases.

proviso.

(a) See Nos. 1266, 1271, 1273, 1277, 1292, 1305, 1315, 1339, 1365, 1366, 1375, 1387, 1402, 1406, 1416.

No. 1296.—AN ACT supplementary to the act, entitled "An act providing for the indemnification of certain claimants of public lands in the Mississippi Territory."

Jan. 23, 1815.
Vol. 3, p. 192.

Be it enacted, &c., That the President of the United States be, and he is hereby authorized, by and with the advice and consent of the Senate, to appoint three fit and disinterested persons, to be and act as commissioners, by virtue of an act, entitled "An act providing for the indemnification of certain claimants of public lands in the Mississippi Territory," in the place of the Secretary of State, the Secretary of the Treasury, and the Attorney-General of the United States, for the time being; and the said persons are hereby constituted and appointed a board of commissioners, any two of whom may act as a quorum, as in and by the act aforesaid is provided. Which board is hereby declared to be intended to effect the same purposes and services as the said original board; and is, in every respect, substituted for the same; and is hereby authorized to execute all the powers granted to, and directed to perform all the duties enjoined upon, the said original board of commissioners, according to the intent and provisions of the act aforesaid.

President authorized to appoint three commissioners, to act as a board in the place of the one formerly constituted.

SEC. 2. *And be it further enacted*, That the commissioners to be appointed in pursuance of this act, shall meet at some suitable place within the District of Columbia, on the fourth Monday of January current, or as soon thereafter as may be, to enter on the duties assigned them. And that they shall proceed therein, as expeditiously as may be, and from

Board to meet at some place in the District of Columbia, and to proceed forthwith to business.

Reports to be made by it to the President. time to time shall certify and report to the President of the United States, as to the sufficiency of the releases that shall have been made, and the claims they shall have finally adjudged and allowed, agreeably to the third section of the act to which this act is supplementary.

Commissioners to take an oath of office. SEC. 3. *And be it further enacted*, That each of the said commissioners, before they proceed to execute their duties as such, shall take the following oath or affirmation, to wit: "I, A B, do solemnly swear (or affirm) that I am not interested in the event of any decision that may be made by this board of commissioners, and that I will faithfully and impartially discharge and perform all the duties incumbent on me as a member thereof: and will adjudge and determine all the matters, claims, and controversies, subject to the adjudication and determination of this board, according to the best of my abilities, agreeably to the laws of the United States, and the principles of justice and equity."

Board may appoint a secretary. His duty and pay, as well as the pay of the commissioners. SEC. 4. *And be it further enacted*, That the said board of commissioners shall have power and authority to appoint a secretary, whose duty it shall be to receive, file, and preserve, the papers, documents, and claims, that may be presented to, and received by said board of commissioners, and to enter and record all the orders, proceedings, judgments, and determinations, of said board of commissioners. And one of said commissioners shall administer an oath to such secretary for the faithful discharge of his duty. And there shall be allowed and paid out of the Treasury of the United States, to each of the said commissioners, as well as to the secretary by them to be appointed, as a compensation for their respective services under this act, and in full for the same, the sum of fifteen hundred dollars.

Further time allowed for making releases. SEC. 5. *And be it further enacted*, That further time be, and hereby is allowed to deposit in the office of the Secretary of State, releases to the United States of claims, under the act or pretended act of the State of Georgia, passed on the seventh day of January, seventeen hundred and ninety-five, and assignments of rights or claims to moneys paid into the treasury of the State of Georgia, and power to sue therefor; and also for recording in the office of the Secretary of State, any deed or evidence of any title or claim that hath been released to the United States, or that shall be released on or before the day hereby appointed, to wit: the third Monday in March next. And so much of the act of Congress, passed the third day of March, one thousand eight hundred and three, entitled "An act regulating the grants of lands of the United States, south of the State of Tennessee," and so much of the act to which this is supplementary as excludes claimants from recording their claims after the first day of January, one thousand eight hundred and four, be, and the same are hereby repealed.

Board empowered to consider and determine upon releases preferred by representatives of bankrupts, &c. SEC. 6. *And be it further enacted*, That the said commissioners be, and hereby are authorized and empowered to consider and determine all claims, that shall have been duly released to the United States, on or before the said third Monday of March, which may be made and preferred by assignees of bankrupts, or executors or administrators on estates of deceased persons, which may be insolvent and subject to distribution among the creditors of the persons so deceased. (a)

(a) See Nos. 718, 723, 731, 737, 745, 753, 1067, 1265, 1266, 1268, 1270, 1271, 1275, 1276, 1281, 1286, 1287, 1292, 1294, 1299, 1300, 1310, 1318, 1322, 1324, 1333, 1334, 1336, 1386, 1388, 1399.

March 1, 1815.
Vol. 6, p. 151.

No. 1297.—AN ACT for the relief of the heirs of James Hynum.

Donation of land.

Be it enacted, &c., That the heirs of James Hynum, of the Mississippi Territory, shall be entitled to a donation of two hundred and twenty-six acres of land, according to the provisions of an act of Congress, passed the third day of March, in the year one thousand eight hundred and three, entitled "An act regulating the grants of land, and providing for the disposal of the lands of the United States south of the State of Tennessee," to be located, surveyed, and granted, in the manner prescribed in the said recited act; and to be subject to the dower of the widow of the said James Hynum, as fully and completely as if the title to the said land had been vested in the said James Hynum.

Payments on said land to be refunded.

SEC. 2. *And be it further enacted, &c.*, That all sums of money paid by Margaret Hynum, widow of the said James Hynum, since the death of the said James, as part of the price of the said land, in contempla-

tion of a purchase thereof, shall be refunded to the said Margaret; and the receiver of public moneys in the land district west of Pearl River, is hereby directed to pay the same to the said Margaret, out of any public money now in his hands, or which may hereafter come to his hands.

No. 1298.—AN ACT to provide for ascertaining and surveying of the boundary lines fixed by the treaty with the Creek Indians, and for other purposes.

March 3, 1815.
Vol. 3, p. 228.

Be it enacted, &c., That the President of the United States be, and he is hereby authorized to cause to be ascertained and surveyed the boundary line designated by the treaty with the Creek nation of Indians, concluded on the ninth day of August, one thousand eight hundred and fourteen, and that the same be distinctly marked, in all such places except where water-courses are described as the boundary by the said treaty; and for this purpose the President of the United States shall have power to appoint, by and with the advice and consent of the Senate, three commissioners, whose compensation shall not exceed, exclusive of travelling expenses, the rate of eight dollars per day, during the time of actual service of such commissioner, in ascertaining and surveying the said boundary line; they shall have power to employ a skilful surveyor, who shall be allowed five dollars per day, and two chain-men and a marker, who shall each be allowed two dollars per day, in full for their services.

Boundary line of the Creeks to be ascertained and surveyed.

Commissioners to be appointed. Their compensation. Surveyors, &c., to be employed. Their allowance.

SEC. 2. *And be it further enacted,* That the said commissioners, on completing the ascertainment and survey aforesaid, shall make out three accurate plats of the survey of the said boundary line, one of which they shall transmit to the Secretary of State, one to the surveyor of the lands south of the State of Tennessee, and the other to the chiefs of the Creek nation of Indians.

Three plats to be made out.

SEC. 3. *And be it further enacted,* That all the public lands of the United States, to which the Indian title was extinguished by the aforesaid treaty, shall be, and are hereby formed into a land district; and for the disposal thereof, a land office shall be established, which shall be kept at such convenient place as the President of the United States may direct; and for the said land office, a register and receiver of public moneys shall be appointed, who shall give security in the same manner, in the same sums, and whose compensation, emoluments, duties, and authority, shall, in every respect, be the same in relation to the lands which shall be disposed of at their office, as are or may be provided by law in relation to the registers and receivers of public moneys in the several land offices established for the disposal of the other public lands of the United States. (a)

Public lands where the Indian title is extinct to be formed into a land district.

A land office to be established, &c.

SEC. 4. *And be it further enacted,* That the powers vested by law in the surveyor of the lands of the United States, south of the State of Tennessee, shall extend over all the public lands of the United States to which the Indian title was extinguished by the aforesaid treaty, and the same shall be surveyed in the manner and for the same compensation as other public lands in the Mississippi Territory. (b)

Powers and compensation of the surveyor, same as other public lands in Mississippi Territory.

SEC. 5. *And be it further enacted,* That the President of the United States is hereby authorized, whenever he shall think it proper, to direct so much of the public lands, lying in the said district, as shall have been surveyed in conformity to this act, to be offered for sale. All such lands shall, with the exception of the section numbered sixteen, which shall be reserved in each township for the support of schools within the same, (c) with exception also, of one entire township, to be located by the Secretary of the Treasury, for the use of a seminary of learning, (d) and with the exception of any tracts of land reserved to the Indians by the said treaty, shall be offered to the highest bidder, under the direction of the register and receiver of public moneys of the said land office, on such day or days as shall, by a public proclamation of the President of the United States, be designated for that purpose. The public sales shall remain open for three weeks and no longer; and the lands shall be sold for a price not less than that which has been or may be fixed by law, for the public lands in the Mississippi Territory; and shall, in every other respect, be sold in tracts of the same size, on the same terms and conditions, as have been or may be by law provided, for the other public lands in the Mississippi Territory. The superintendents of the said public sales shall receive six dollars each, for each

Sale of the lands authorized, with certain exceptions.

Sales to remain open three weeks; their conditions, &c.

Unsold lands may be disposed of at private sale. day's attendance on the said sales. All lands other than those reserved as aforesaid, and excepted as above mentioned, remaining unsold at the closing of the public sales, and which had been offered at the said sales, may be disposed of at private sale, by the register of the land office, in the same manner, under the same regulations, for the same price, and on the same terms and conditions, as are or may be provided by law for the sale of the other public lands of the United States in the Mississippi Territory. And patents shall be obtained for the lands sold in the said district, in the same manner, and on the same terms, as for other public lands sold in the Mississippi Territory. (e)

Patents obtained in the usual manner.

Appointment of commissioners.

Appropriation for defraying expenses.

SEC. 6. *And be it further enacted*, That the President of the United States shall have power to appoint any or all of the aforesaid commissioners, during the recess of the Senate.

SEC. 7. *And be it further enacted*, That a sum not exceeding twenty-five thousand dollars, be, and the same is hereby appropriated, to be paid out of any moneys in the Treasury not otherwise appropriated for the purpose of carrying this act into effect.

(a) See Nos. 731, 1266, 1272, 1275, 1279, 1305, 1310, 1315, 1328, 1343, 1355, 1363, 1373.

(b) See Nos. 37, 777, 1266, 1269, 1272, 1305, 1343, 1356.

(c) See Nos. 1266, 1271, 1275, 1277, 1295, 1305, 1315, 1339, 1365, 1366, 1375, 1387, 1402, 1406, 1416.

(d) See No. 1309.

(e) See Nos. 36, 59, 433, 1266, 1267, 1273, 1274, 1275, 1276, 1277, 1279, 1281, 1288, 1292, 1293, 1301, 1305, 1315, 1323, 1327, 1336, 1361, 1382, 1391, 1402, 1414, 1416, 1417.

March 3, 1815.
Vol. 3, p. 235.

No. 1299.—AN ACT further supplementary to an act, entitled "An act providing for the indemnification of certain claimants of public lands in the Mississippi Territory."

Commissioners authorized to decide upon the quantity of land contained in any deed, without further survey.

Be it enacted, &c., That the commissioners appointed by virtue of the act entitled "An act supplementary to an act entitled 'An act providing for the indemnification of certain claimants of public lands in the Mississippi Territory,'" shall be, and they are hereby authorized to decide, in a summary way, upon the quantity or boundary of land contained in any grant or deed exhibited before them, by any of the claimants of lands released to the United States, agreeably to said act, according to such maps, surveys, or other evidence, as now exist or which they may be now able to procure, without requiring or permitting any other survey to be made.

Instruments executed by the parties or their attorneys shall be considered legal by the commissioners.

SEC. 2. *And be it further enacted*, That the said commissioners shall be, and they are hereby authorized to allow, and receive, in all cases, except those where femmes coverts are parties, as sufficient legal releases, assignments, and powers, required by said act, and the supplement thereto, and as lawful conveyances, all such instruments as may be executed by the party, or his, her, or their attorney or attorneys, lawfully empowered, and either acknowledged by the party making the same, before some judge, or justice of the peace, notary public, mayor, recorder or alderman of a corporation, or master in chancery, or one of the said commissioners, or proved by other evidence to the satisfaction of the commissioners to have been duly executed by the party.

A further time allowed where releases, &c., are defectively drawn.

SEC. 3. *And be it further enacted*, That the said commissioners shall be, and they are hereby authorized, in all cases where the releases, assignments, and powers required by the act aforesaid, already presented, or which may be presented on or before the third Monday in March instant, or powers of attorney, by which said releases shall have been, or shall be made, shall be, in the judgment of the commissioners aforesaid, defectively drawn or executed, to allow a further time not exceeding two months, from and after the said third Monday in March instant, to perfect the same.

Commissioners authorized to finally settle all claims.

SEC. 4. *And be it further enacted*, That the said commissioners shall be, and they are hereby authorized to admit and finally settle all such claims as have been, or may be, within the time limited, duly released, assigned, and transferred to the United States, any thing in the said original act, or any supplement thereto, to the contrary notwithstanding; and to administer oaths, or take affirmations, and to compel the attendance of witnesses, in all cases where necessary.

On reports of the commissioners certificates of stock to be issued.

SEC. 5. *And be it further enacted*, That the President of the United States shall be, and he is hereby authorized, from time to time, to cause to be issued such certificates of stock as are specified in the said original act, and supplement thereto, to such claimant or claimants, whose claim may be decided on and reported by the commissioners, on receiving such report in relation to such claim, from the said commissioners.

SEC. 6. *And be it further enacted,* That the releases, assignments, and powers, required by the act aforesaid, and the supplement thereto, now received, and which may be hereafter received, shall be recorded by the secretary of the said commissioners, and the said records returned with all other papers and documents in relation to said claims, when the business of the said commissioners shall be closed, to the office of the Secretary of State; and that the said secretary shall be paid by the Secretary of the Treasury of the United States, out of any money not otherwise appropriated, at the rate of twelve and a half cents for each and every hundred words contained in each instrument so recorded.

Secretary to record releases, &c., and return them to the Secretary of State's office.

Terms of recording.

SEC. 7. *And be it further enacted,* That on the dissolution of the said board of commissioners, and the performance of the duties assigned them, the President of the United States shall be, and he is hereby authorized, if in his judgment he shall consider the said commissioners entitled to any further additional compensation for their services than is now provided for, to cause them to be paid such other and further sums, out of any money in the Treasury not otherwise appropriated, as he shall think just and reasonable: *Provided,* That such additional compensation shall not exceed fifty cents to each commissioner, for every deed or evidence of title which shall be submitted to their examination and decision, in pursuance of the provisions of the said original act, and the supplements thereto. (a)

On the dissolution of the board of commissioners, the President may grant additional compensation.

Proviso.

(a) See Nos. 718, 723, 731, 737, 745, 753, 1067, 1265, 1266, 1268, 1270, 1271, 1275, 1276, 1284, 1286, 1287, 1292, 1294, 1296, 1300, 1310, 1318, 1322, 1324, 1333, 1334, 1336, 1386, 1388, 1399.

No. 1300.—AN ACT, further supplementary to the act, entitled "An act providing for the indemnification of certain claimants of public lands in the Mississippi Territory."

April 20, 1816.
Vol. 3, p. 294.

Be it enacted, &c., That every person or persons claiming public lands in the Mississippi Territory, under the act or pretended act of the State of Georgia, passed January the seventh, one thousand seven hundred and ninety-five, who have not duly released their claims to the United States, so as to entitle them to the indemnification provided by the act of Congress, passed the thirty-first day of March, one thousand eight hundred and fourteen, entitled "An act providing for the indemnification of certain claimants of public lands in the Mississippi Territory," and the acts supplementary thereto, shall be allowed further time to execute and file with the commissioners appointed to decide on such claims, good and sufficient legal releases of their claim, as by said acts are required, until the first Monday of March next. And the commissioners aforesaid are hereby authorized and empowered to decide on such claims, and to adjudge to every such claimant or claimants the proportion of indemnification to which he or they may be respectively entitled.

Further time allowed to claimants.

SEC. 2. *And be it further enacted,* That the commissioners aforesaid shall be, and they are hereby authorized, in all cases where they shall direct suits to be commenced for the recovery of money fraudulently withdrawn from the treasury of Georgia, to transmit to the counsel or attorney appointed to institute and conduct such suits or prosecutions, all original papers or documents in their possession, that may furnish evidence to sustain the same.

Commissioners authorized to send to the council employed by them original papers and documents.

SEC. 3. *And be it further enacted,* That there shall be allowed and paid, out of the Treasury of the United States, to each of the said commissioners and their secretary, the further sum of one thousand dollars, as a compensation for the additional services required by this act. (a)

Additional compensation to commissioners and their secretary.

(a) See Nos. 718, 723, 731, 737, 745, 753, 1067, 1265, 1266, 1268, 1270, 1271, 1275, 1276, 1284, 1286, 1287, 1292, 1294, 1296, 1299, 1310, 1318, 1322, 1324, 1333, 1334, 1336, 1386, 1388, 1399.

No. 1301.—AN ACT for the relief of certain purchasers of public lands in the Mississippi Territory.

April 24, 1816.
Vol. 3, p. 800.

Be it enacted, &c., That every person who, since the first day of April, one thousand eight [hundred] and eleven, and prior to the eighteenth day of June, one thousand eight hundred and twelve, had purchased any tract or tracts of public land in the Mississippi Territory, not exceeding in the whole six hundred and forty acres, unless the tract purchased be a fractional section or sections, or fractional sections classed with an entire section, and whose lands have not already been actually sold or reverted to the United States for non-payment of part of the purchase money, shall be allowed the further time of two years and

Further time allowed to certain purchasers of land.

Proviso.

eight months from and after the expiration of the present period already given by law for completing the payment of the said purchase money; which further term of two years and eight months shall be allowed only on the condition, that all arrears of interest on the purchase money shall have been paid on or before the time shall have expired for completing the payment of the purchase money: *Provided*, That in all cases in which the time for completing the payment of the purchase money may have expired, or shall expire, before the first day of July next, the interest may be paid on or before that day. But in case of failure in paying either the arrears, or the residue of principal with the accruing interest, as is herein provided, the tract of land shall forthwith be advertised and offered for sale, in the same manner, and on the same terms, as is directed by law in case of lands not paid for within the limited term, and shall revert in like manner, if the sum due, with interest, be not at such sale bidden and paid. And in cases where any tract or tracts of land in said Territory, not exceeding, in the whole, six hundred and forty acres, unless the tract be a fractional section or sections, or fractional sections classed with an entire section, have, since the first day of October last, reverted to the United States, for default of payment, the original purchaser may again enter the same tract or tracts at the price at which such tract or tracts were originally sold; and all moneys which such original purchaser may have paid shall be replaced to his credit by the receiver of public moneys for the district in which the land may lie, and such re-purchasers shall be allowed the same benefits of the extension of the time of payment created by this act, as though no such reversion has occurred: *Provided*, That such original purchaser shall make to the proper officer such application for such re-entry as is required by law for the entry of lands on or before the first day of July next, and that the land so reverted shall not have then been previously resold. (a)

Proviso.

(a) See Nos. 36, 59, 433, 1266, 1267, 1273, 1274, 1275, 1276, 1277, 1279, 1281, 1288, 1292, 1293, 1298, 1305, 1315, 1323, 1327, 1336, 1361, 1362, 1391, 1408, 1414, 1416, 1417.

April 26, 1816.
Vol. 6, p. 164.

No. 1302.—AN ACT for the relief of Charles Levaux Trudeau.

May enter six
quarter-sections
of land, &c.

Be it enacted, &c., That Charles Levaux Trudeau, or his legal representatives, be authorized to enter with the register of the land office, without payment, any six quarter-sections of land in place of other lands confirmed by the board of commissioners west of Pearl River, in the Mississippi Territory, provided the same do not exceed one thousand acres, which has been offered at public sale in the Mississippi Territory; and on return being made to the Commissioner of the General Land Office, a patent shall issue as in other cases.

March 1, 1817.
Vol. 3, p. 348.

No. 1303.—AN ACT to enable the people of the western part of the Mississippi Territory to form a constitution and State government, and for the admission of such State into the Union, on an equal footing with the original States.

Inhabitants of
the western part
of Mississippi
Territory to form
a State govern-
ment, be admit-
ted into the
Union, &c.
Boundaries of
the State.

Be it enacted, &c., That the inhabitants of the western part of the Mississippi Territory be, and they hereby are, authorized to form for themselves a constitution and State government, and to assume such name as they shall deem proper; and the said State, when formed, shall be admitted into the Union upon the same footing with the original States, in all respects whatever.

SEC. 2. *And be it further enacted*, That the said State shall consist of all the territory included within the following boundaries, to wit: Beginning on the river Mississippi at the point where the southern boundary-line of the State of Tennessee strikes the same, thence east along the said boundary-line to the Tennessee River, thence up the same to the mouth of Bear Creek, thence by a direct line to the north-west corner of the county of Washington, thence due south to the Gulf of Mexico, thence westwardly, including all the islands within six leagues of the shore, to the most eastern junction of Pearl River with Lake Borgne, thence up said river to the thirty-first degree of north latitude, thence west along the said degree of latitude to the Mississippi River, thence up the same to the beginning. (a)

* * * * *

SEC. 4. *And be it further enacted*, * * * That the said convention shall provide, by an ordinance irrevocable without the consent of the United States, that the people inhabiting the said Territory do agree and declare that they for ever disclaim all right or title to the waste or unappropriated lands lying within the said Territory, and that the same shall be and remain at the sole and entire disposition of the United States; and moreover, that each and every tract of land sold by Congress, shall be and remain exempt from any tax laid by the order, or under the authority, of the State, whether for State, county, township, parish or any other purpose whatever, for the term of five years, from and after the respective days of the sales thereof, and that the lands belonging to citizens of the United States, residing without the said State, shall never be taxed higher than the lands belonging to persons residing therein; and that no taxes shall be imposed on lands the property of the United States, (b) and that the river Mississippi, and the navigable rivers and waters leading into the same, or into the Gulf of Mexico, shall be common highways, and for ever free, as well to the inhabitants of the said State, as to other citizens of the United States, without any tax, duty, impost, or toll, therefor, imposed by the said State.

Reservations and conditions of admission to the Union.

SEC. 5. *And be it further enacted*, That five per cent. of the net proceeds of the lands lying within the said Territory, and which shall be sold by Congress from and after the first day of December next, after deducting all expenses incident to the same, shall be reserved for making public roads and canals; of which three-fifths shall be applied to those objects within the said State, under the direction of the legislature thereof, and two-fifths to the making of a road or roads leading to the said State, under the direction of Congress: *Provided*, That the application of such proceeds shall not be made until after payment is completed of the one million two hundred and fifty thousand dollars due to the State of Georgia, in consideration of the cession to the United States, nor until the payment of all the stock which has been or shall be created by the act, entitled "An act providing for the indemnification of certain claimants of public lands in the Mississippi Territory," shall be completed: *And provided also*, That the said five per cent. shall not be calculated on any part of such proceeds as shall be applied to the payment of the one million two hundred and fifty thousand dollars due to the State of Georgia, in consideration of the cession to the United States, or in payment of the stock which has or shall be created by the act, entitled "An act providing for the indemnification of certain claimants of public lands in the Mississippi Territory." (c)

Reservation of five per cent. on lands sold for making roads and canals.

Proviso: prior obligations to Georgia, &c., to be first discharged.

Proviso: the five per cent. not to be calculated on certain proceeds.

(a) See Nos. 1264, 1265, 1285, 1304, 1306.

(b) See Nos. 169, 1394.

(c) See Nos. 1015, 1266, 1314, 1340, 1366, 1374, 1382, 1398, 1415.

No. 1304.—AN ACT to establish a separate Territorial government for the eastern part of the Mississippi Territory.

March 3, 1817.
Vol. 8, p. 371.

[Part of Mississippi Territory to form a separate Territory to be called Alabama. See ALABAMA, No. 1443.]

No. 1305.—AN ACT to authorize the appointment of a surveyor for the lands in the northern part of the Mississippi Territory, and the sale of certain lands therein described.

March 3, 1817.
Vol. 3, p. 375.

Be it enacted, &c., That a surveyor of the lands of the United States in the Mississippi Territory, lying north of an east and west line, to be drawn from the river Mississippi, through Fort Williams, to the western boundary line of the State of Georgia, shall be appointed, whose duty it shall be to engage a sufficient number of skilful surveyors as his deputies, and to cause the lands above mentioned, which have not already been surveyed, and to which the Indian title has been extinguished, to be surveyed and divided in the manner provided by law for the surveying of the other public lands of the United States in the Mississippi Territory, to do and perform all such acts in relation to the said lands, to transmit plats of survey in the manner, and to fix the compensation of the deputy surveyor, chain-carriers, and axe-men, under the same restrictions and limitations of expense in surveying, as is

A surveyor of the lands of the United States to be appointed for that part of the Mississippi Territory described; his duties, compensation, &c.

by law directed and provided for the regulation of the powers and duties of the surveyor of the lands south of the State of Tennessee, in relation to the other public lands in the Mississippi Territory. And the said surveyor, appointed in pursuance of this act, shall be entitled to receive, for his services, one thousand five hundred dollars, as an annual compensation. (a)

Lands to be attached to Madison district.

SEC. 2. *And be it further enacted*, That all the lands of the United States in the Mississippi Territory, to which the Indian title has been extinguished, lying north of the aforesaid east and west line, and which has not heretofore been offered for sale, shall be attached to, and made a part of, the land district of Madison, in the said Territory. (b)

Lands attached to Madison district, with the exception of section 16, to be offered for sale, &c.

SEC. 3. *And be it further enacted*, That all the lands, by this act attached to the district of Madison, (c) after having been surveyed according to law, shall, with the exception of the section No. 16, in each township, which shall be reserved for the support of schools therein, (d) and with the further exception of such sections, not exceeding ten in number, as the President shall designate, for the purpose of laying out and establishing towns thereon, be offered for sale to the highest bidder, under the direction of the register of the land office, and the receiver of public moneys, at the place where the land office is kept, and on such day, or days, as shall, by proclamation of the President of the United States, be designated for that purpose; the sales shall remain open two weeks, and no longer. The lands shall not be sold for

Lands not to be sold for less than \$2 per acre.

Lands remaining unsold may be disposed of at private sale, &c.

less than two dollars an acre, and shall in every other respect be sold in tracts of the same size, and on the same terms, and conditions, as have been, or may be, provided for lands sold in the same district. All the lands offered for sale, and remaining unsold at the close of the said public sales, may be disposed of at private sale by the register of the land office, in the same manner, for the same price, and on the same terms and conditions, as are, [or] may be, provided for the sale of other lands in the same district, and patents shall be granted in the same manner, and on the same terms, as for other lands in the said district. (b)

Five dollars per day to the register and receiver.

The sections reserved to be laid off into lots, &c.

Plats, &c.

To be sold on the same terms as other lands, except, &c.

Proviso; as to the price of each lot, &c.

SEC. 4. *And be it further enacted*, That the register and receiver of public moneys shall each receive five dollars, for each day's attendance in directing the public sales, directed by this act.

SEC. 5. *And be it further enacted*, That the President of the United States be, and he hereby is, authorized to cause the sections, reserved as aforesaid, for establishing towns thereon, to be laid off into lots, under the direction of the surveyor appointed as aforesaid; and when the survey of the lots shall be completed, plats thereof shall be transmitted to the Commissioner of the General Land Office, and the register of the land office, and the lots shall be offered, to the highest bidder, at public sale, on such day or days as the President shall, by his proclamation, designate for that purpose, and shall be sold on the same terms and conditions, in every respect (except as to the quantity of land) as have or may be provided for the sale of the other public lands in the said district; *Provided*, That no lot shall be sold for a less price than at the rate of six dollars per acre; nor shall there be reserved for the purpose aforesaid, more than one section in any one township. (b)

(a) See Nos. 37, 777, 1267, 1269, 1292, 1298, 1343, 1356.

(b) See Nos. 36, 59, 433, 1266, 1267, 1273, 1274, 1275, 1276, 1277, 1279, 1281, 1288, 1292, 1293, 1298, 1301, 1315, 1323, 1327, 1336, 1361, 1382, 1391, 1408, 1414, 1416, 1417.

(c) See Nos. 731, 1266, 1272, 1275, 1279, 1298, 1310, 1315, 1328, 1349, 1355, 1363, 1373, 1410.

(d) See Nos. 1266, 1271, 1275, 1277, 1295, 1298, 1315, 1339, 1365, 1366, 1375, 1387, 1402, 1406, 1416.

Dec. 10, 1817.
Vol. 3, p. 472.

NO. 1306.—RESOLUTION for the admission of the State of Mississippi into the Union.

Preamble.

Whereas, in pursuance of an act of Congress, passed on the first day of March, one thousand eight hundred and seventeen, entitled "An act to enable the people of the western part of the Mississippi Territory to form a constitution and State government, and for the admission of such State into the Union on an equal footing with the original States," the people of the said Territory did, on the fifteenth day of August, in the present year, by a convention called for that purpose, form for themselves a constitution and State government, which constitution and State government so formed, is republican, and in conformity to the principles of the articles of compact between the original States and the people and States in the territory northwest of the river Ohio, passed on the thirteenth day of July, one thousand seven hundred and eighty-seven—

Resolved, &c., That the State of Mississippi shall be one, and is hereby declared to be one, of the United States of America, and admitted into the Union on an equal footing with the original States, in all respects whatever. (a)

(a) See Nos. 1264, 1265, 1265, 1303, 1304.

No. 1307.—AN ACT for the relief of Daniel Burnet, Gibson Clark, and the legal representatives of Hubert Rowel.

April 11, 1818.
Vol. 6, p. 205.

Be it enacted, &c., That it shall be the duty of the register of the land office and receiver of public moneys west of Pearl River, in the State of Mississippi, to examine the evidence heretofore given, and to receive additional testimony, in the claims to land of Daniel Burnet and Gibson Clark, of the State of Mississippi, founded on warrants or orders of survey granted by the Spanish Government to James Davenport and James Stewart, and if it shall appear to the satisfaction of the said register and receiver, that the said James Davenport and James Stewart, under whom the said Daniel Burnet and Gibson Clark claim, were resident in the late Mississippi Territory, on the twenty-seventh day of October, one thousand seven hundred and ninety-five, then, and in that case, the claims aforesaid shall be respectively confirmed, and patents shall issue for the same as in other cases. And it shall moreover be the duty of the said receiver of public moneys to refund, to either of the said claimants, any moneys which they, or either of them, may have paid to the United States, in consequence of said lands being granted to them in right of pre-emption.

Examination of land claims, &c.

Receiver of public moneys to refund, &c.

SEC. 2. *And be it further enacted,* That the legal representatives of Hubert Rowel be, and they are hereby confirmed in their claim to a tract of land, lying and being in the State of Mississippi, on the waters of the Bayou Sarah, containing eight hundred and fifty arpents, granted by the Spanish Government to said Hubert Rowel, by patent, legally and fully executed, bearing date the sixteenth day of May, one thousand seven hundred and ninety-one: *Provided,* The said land has not been already disposed of under the authority of the United States.

The legal representatives of Hubert Rowel confirmed in their claim to a tract of land.

Proviso.

No. 1308.—AN ACT for the relief of the legal representatives of Alexander Montgomery, deceased.

Jan. 8, 1819.
Vol. 6, p. 217.

Be it enacted, &c., That it shall be the duty of the register of the land office, and receiver of public moneys, west of Pearl River, in the State of Mississippi, to examine the evidence heretofore given, and to receive additional testimony, in the claims to land, of the legal representatives of Alexander Montgomery, deceased, founded on warrants, or orders of survey, granted by the Spanish Government to Solomon Whitley and John Montgomery; and if it shall appear, to the satisfaction of said register and receiver, that the said Solomon Whitley and John Montgomery, or their legal representatives, under whom the said tracts of land are claimed, were resident in the Mississippi Territory on the twenty-seventh day of October, one thousand seven hundred and ninety-five, then, and in that case, the claims aforesaid shall be respectively confirmed, and patents shall issue for the same, as in other cases: *Provided,* That nothing in this act shall affect the claim or claims of any person or persons to the same land, or any part thereof, derived from the United States, if any such there be, or the claim or claims of any other person or persons whatsoever.

Examination of evidence as to their claims to land, with a view to the issuing of patents.

Proviso.

No. 1309.—AN ACT providing for a grant of land for the seat of government in the State of Mississippi, and for the support of a seminary of learning within the said State.

Feb. 20, 1819.
Vol. 3, p. 485.

Be it enacted, &c., That there shall be granted to the State of Mississippi, two entire sections of land, or fractional sections, or quarter-sections, not exceeding the quantity contained in two entire sections, for a seat of government in the said State; which land shall be located in one entire tract, at such place as, under the authority of the said State, shall be designated for the seat of government therein, whenever the Indian title shall have been extinguished thereto, and before the commencement of the public sales of the adjoining and surrounding lands belonging to the United States.

Two sections of land for a seat of government.

To be located in one entire tract.

SEC. 2. *And be it further enacted,* That in addition to the township of land granted for the support of Jefferson College, there shall be granted, in the said State, another township, or a quantity of land equal thereto, for the support of a seminary of learning.

Another township for the support of a seminary of learning.

to be located in tracts of not less than four entire sections each, which shall be vested in the legislature of the said State, in trust, for the support of a seminary of learning therein; which lands shall be located by the Secretary of the Treasury of the United States, whenever an extinguishment of Indian title shall be made for lands suitable, in his opinion, for that purpose, in the said State: which grant, hereby provided to be made, shall be considered as made in lieu of a township directed to be reserved by the fifth section of an act, entitled "An act to provide for the ascertaining and surveying of the boundary line fixed by the treaty with the Creek Indians, and for other purposes," passed March three, one thousand eight hundred and fifteen; and which reserve of one township, provided to be made by the aforesaid fifth section of said act, shall be offered for sale, in the same manner as the other public lands in the same district. (a)

(a) See No. 1298.

March 3, 1819. **No. 1310.**—AN ACT for adjusting the claims to land, and establishing land offices, in the districts east of the island of New Orleans.

[See LOUISIANA, No. 731.]

Jan. 14, 1820. **No. 1311.**—AN ACT for the relief of the legal representatives of Philip Barbour, deceased.

Be it enacted, &c., That the register of the land office and receiver of public moneys of the United States, in the State of Mississippi, west of Pearl River, be, and they are hereby, authorized and directed, within twelve months after the passage of this act, to report to the Commissioner of the General Land Office the value of fifteen hundred acres of land, situated on the river Mississippi, at the mouth of Big Black, commonly called Grand Gulph, patented in the year one thousand seven hundred and seventy, by the government of West Florida, to Philip Barbour, deceased; the said register and receiver having, in making such estimate, a due regard to the time when the said land, or any part of it, was sold by the Government of the United States: whereupon the said Commissioner of the General Land Office shall issue to the legal representative of the said Philip Barbour, deceased, a certificate of the amount so reported by the said register and receiver; which certificate shall be receivable in payment of any debt which may have accrued, or shall hereafter accrue, to the United States, on the sale of any of the public lands: *Provided, however,* That, before the said Commissioner of the General Land Office shall issue the certificate, the said legal representative shall file in his office a written release, under his hand and seal, with all the solemnities necessary to make it valid and operative, whereby he shall release to the United States all his claim to the said fifteen hundred acres of land.

Proviso.

April 5, 1820. **No. 1312.**—AN ACT for the relief of the legal representatives of John O'Connor, deceased.

Be it enacted, &c., That the legal representatives of John O'Connor, deceased, be, and they are hereby, confirmed in their title to a tract of land situated on Buffalo Creek, in the State of Mississippi, containing eight hundred arpens, granted by the Spanish Government to William Conway, by patent, dated the fourteenth day of June, in the year of our Lord one thousand seven hundred and eighty-seven, and conveyed to John O'Connor, by the said Conway, on the twenty-sixth day of January, one thousand seven hundred and ninety-seven: *Provided,* That nothing in this act contained shall affect the claim or claims of any other person or persons to the said land, or any part thereof, derived from the United States, or any other source whatever.

Proviso.

May 8, 1820. **No. 1313.**—AN ACT for the relief of the heirs of Abijah Hunt and William Gordon Forman.

Be it enacted, &c., That the heirs of Abijah Hunt and William Gordon Forman be, and they are hereby, confirmed in their claim to fifteen hundred arpens of land, situated on the Mississippi River, near the mouth of Cole's Creek, in the State of Mississippi, being the same land which was conveyed to Abijah Hunt and William Gordon Forman, on the thirty-first day of May, one thousand eight hundred and two, by Charles Norwood, executor of the last will and testament of John

Confirmed in their claim to a tract of land in Mississippi.

Turnbull: *Provided*, Nothing in this act shall be so construed as to affect the claim of any other person or persons to the said land, or any part thereof, derived either from the United States or from any other source whatsoever. Proviso.

NO. 1314.—AN ACT to provide for paying to the State of Missouri, Mississippi, and Alabama, three per cent. of the net proceeds, arising from the sale of the public lands within the same. May 3, 1832.
Vol. 3, p. 674.

SEC. 2. *And be it further enacted*, That the Secretary of the Treasury shall, from time to time, and whenever the quarterly accounts of public moneys of the several land offices in the State of Mississippi shall be settled, pay three per cent. of the net proceeds of the sales of the lands of the United States lying within the State of Mississippi, which, since the first day of December, one thousand eight hundred and seven-
 teen, have been, or hereafter may be, sold by the United States, after deducting all expenses incident to the same, to such person or persons as may or shall be authorized by the legislature of the said State of Mississippi to receive the same; which sum or sums, thus paid, shall be applied to making public roads and canals within the said State, according to the provisions on this subject contained in the act, entitled "An act to enable the people of the western part of the Mississippi Territory to form a constitution and State government, and for the admission of such State into the Union on an equal footing with the original States," and to no other purpose; and an annual account of the same shall be transmitted to the Secretary of the Treasury, by such officer or person of the State as the legislature thereof shall direct, and of its application, if any be made, and in default of such return being made, the Secretary of the Treasury is hereby required to withhold the payment of any sum or sums that may then be due, or which thereafter may become due, until a return shall be made as herein required.

The Secretary of the Treasury to pay three per cent. of the net proceeds of the sales of public lands within the State of Mississippi, deducting expenses, to any person authorized to receive it.

The sums thus paid to be applied to the making of roads and canals in Mississippi, &c.

Annual account of the application of the money to be transmitted to the Secretary of the Treasury.

SEC. 3. *And be it further enacted*, That the Secretary of the Treasury shall, from time to time, and whenever the quarterly accounts of public moneys of the several land offices in the State of Alabama shall be settled, pay three per cent. of the net proceeds of the sales of the lands of the United States lying within the State of Alabama, which since the first day of September, in the year one thousand eight hundred and nineteen, have been, or hereafter may be, sold by the United States, after deducting all expenses incident to the same, to such person or persons as may or shall be authorized by the legislature of the said State of Alabama to receive the same; which sum or sums, thus paid, shall be applied to making public roads and canals, and improving the navigation of rivers, within the said State of Alabama, under the direction of the legislature thereof, according to the provisions on this subject contained in the act, entitled "An act to enable the people of the Alabama Territory to form a constitution and State government, and for the admission of such State into the Union on an equal footing with the original States," and to no other purpose; and an annual account of the same shall be transmitted to the Secretary of the Treasury, by such officer or person of the State as the legislature thereof shall direct, and of its application, if any be made; and in default of such return being made, the Secretary of the Treasury is hereby required to withhold the payment of any sum or sums that may then be due, or which thereafter may become due, until a return shall be made as herein required: *Provided*, That the Secretary of the Treasury shall not allow to either of the said States of Mississippi and Alabama three per cent. on the net proceeds of the sales of public lands within the limits of the late Mississippi Territory, after deducting incidental expenses, until the sum of one million two hundred and fifty thousand dollars, stipulated to be paid by the United States to the State of Georgia, for the cession of the late Mississippi Territory, now composing the States of Mississippi and Alabama, shall have been first paid and deducted; nor until the stock created under the provisions of the act of Congress of the thirty-first of March, one thousand eight hundred and fourteen, entitled "An act providing for the indemnification of certain claimants of public lands in the Mississippi Territory," and the act supplementary thereto, shall have been redeemed, or if not entirely redeemed the residue to be deducted from the net proceeds. (a)

The Secretary of the Treasury to pay three per cent. of the net proceeds of the sales of public lands within the State of Alabama, since Sept. 1, 1819, deducting expenses, to any person authorized to receive it.

The sums thus paid to be applied to the making roads, canals, &c., in Alabama.

Annual account of the application of the money to be transmitted to the Secretary of the Treasury.

Proviso.

(a) See Nos. 1015, 1266, 1303, 1340, 1366, 1374, 1382, 1398, 1415.

May 6, 1822.
Vol. 3, p. 620.

No. 1315.—AN ACT providing for the disposal of the public lands in the State of Mississippi, and for the better organization of the land districts in the States of Alabama and Mississippi.

The tract of country ceded by the Choctaws, on October 18, 1820, formed into a land district.

Land office.

A register and receiver to be appointed, who are to give bond with security, to receive similar compensation, and perform like duties, as other registers and receivers, &c.

Proviso.

Proviso.
District of Pearl River.

The President may cause so much of the land, &c., surveyed, to be sold as other public lands.

Except section 16, for the use of schools in each township, &c.

Patents to issue as in other cases.

The lands lying east of the Tombigbee, in Mississippi, to which the Indian title has been extinguished, attached after October 30, 1822, to the district established by this act, and to be sold, except section 16, &c.

The register of the district of Madison County to transfer books, &c.

Part of the district east of Pearl River, attached to the district of Jackson County.

The President to cause the land office to be removed, &c.

Part of the district of Jackson County attached to the district east of Pearl River.

Be it enacted, &c., That all that tract of country which was ceded to the United States by a treaty with the Choctaw Indians, held on the eighteenth day of October, in the year of our Lord one thousand eight hundred and twenty, near Doake's Stand, in the State of Mississippi, be, and the same is hereby, formed into a land district; and for the disposal of the public lands in said district, a land office shall be established within the same, at such convenient place as the President of the United States may direct and appoint; and for said office a register and receiver shall be appointed by the President, by and with the advice and consent of the Senate, who shall severally give bond with security, before entering on the duties of their respective offices, in like manner and for like sums, shall receive similar compensation, fees, and emoluments, and shall perform similar duties, and possess similar powers, with all other registers and receivers of public moneys of the United States, appointed by law for the disposal of the public land; and shall, in all respects, be governed by the laws of the United States providing for the disposal of the public land: *Provided, however,* That the first sale of the lands within the district aforesaid may be held at such convenient place within the district west of Pearl River, as the President of the United States may appoint. *And provided also,* That the President may, if it should be necessary, in consequence of the establishment of a new basis meridian, attach a portion of the land otherwise belonging to the district established by this act to the district west of Pearl River. (a)

SEC. 2. *And be it further enacted,* That the President of the United States be, and he is hereby, authorized, when he shall think proper, to cause so much of the land within the district created by this act, or which may be attached to the district of Pearl River, and which may be surveyed, to be exposed to sale, on the same terms and conditions, and in the same manner as all other public lands of the United States, with the exception of section numbered sixteen, in each township, which shall be reserved for the use of schools within the same; (b) and of such other reservations as now may, or hereafter may, exist, by virtue of any act of cession, treaty or law of the United States: and for the lands so sold, patents shall issue on the terms and conditions, and in the manner, provided by law in relation to all other public lands of the United States. (c)

SEC. 3. *And be it further enacted,* That all the lands lying on the east side of the Tombigbee River, in the State of Mississippi, and to which the Indian title has been extinguished, be, after the thirtieth day of October next, attached to the district established by the first section of this act; and the public lands therein shall be sold, on the same terms and conditions, and in the same manner, and patents shall issue for the lands so sold, agreeably to the provisions of the laws for the disposal of the public lands of the United States in the State of Mississippi, (c) with the exception of the section numbered sixteen, in each township, which shall be reserved for the use of schools within the same, (b) and of such other reservations as now are made, or hereafter may be made, by law. And it shall be the duty of the register of the district of Madison County, under the direction of the Commissioner of the General Land Office, to transfer such books, maps, and records, or transcripts thereof, to the register appointed for the district established by the first section of this act, as may be necessary to carry into complete effect the provisions of this section of this act. (a)

SEC. 4. *And be it further enacted,* That, from and after the thirtieth day of October next, such part of the district east of Pearl River, as lies within the State of Mississippi, be attached to, and constituted a part of, the district of Jackson County; and the President of the United States shall cause the land office to be removed to such place, within the district of Jackson County, as established by this act, as he may deem convenient; and that part of the district of Jackson County which lies within the State of Alabama shall be attached to, and constitute a part of, the district east of Pearl River, in Alabama; and it shall be the duty of the register of the district east of Pearl River, and of the register of the district of Jackson County, each, to transfer to

the other, such books, records, surveys, or the transcripts thereof, as shall be necessary to carry into complete effect the provisions of this section of this act. (a)

(a) See Nos. 731, 1266, 1272, 1275, 1279, 1298, 1305, 1310, 1328, 1349, 1355, 1363, 1373.

(b) See Nos. 1266, 1271, 1275, 1277, 1295, 1298, 1305, 1339, 1365, 1366, 1375, 1387, 1402, 1406, 1416.

(c) See Nos. 36, 59, 433, 1266, 1267, 1273, 1274, 1275, 1276, 1277, 1279, 1281, 1288, 1292, 1293, 1298, 1301, 1305, 1323, 1327, 1336, 1361, 1382, 1391, 1408, 1414, 1416, 1417.

No. 1316.—AN ACT for the relief of the legal representatives of John Girault.

May 7, 1822.
Vol. 6, p. 269.

Be it enacted, &c., That the legal representatives of John Girault be, and they are hereby, authorized to enter, without payment, in lieu of two tracts of land which were confirmed to the said John Girault, by an act approved the thirtieth day of June, one thousand eight hundred and twelve, entitled "An act confirming claims to lands in the Mississippi Territory, founded on warrants of survey granted by the British or Spanish Government," two sections of land, agreeably to the surveys made by the United States, in any of the land offices in the States of Mississippi and Alabama; and the register or registers with whom such entry or entries may be made, shall issue the necessary certificate or certificates, on the exhibition of which, at the General Land Office, a patent or patents shall issue in favor of the said legal representatives: *Provided*, Such entries be made within two years from the passage of this act, on lands which have been offered at public sale, and on at least four contiguous quarter-sections at a place: *And provided also*, That the said legal representatives shall first, in such manner as the Secretary of the Treasury may prescribe, relinquish all their right in said lands so confirmed to their ancestor.

Authorized to enter, without payment, two sections of land in Mississippi or Alabama, in lieu, &c.

Proviso.

No. 1317.—AN ACT granting a right of pre-emption to Noble Osborne and William Doake.

May 7, 1822.
Vol. 6, p. 270.

Be it enacted, &c., That Noble Osborne and William Doake, of the county of Hinds, and State of Mississippi, be, and they are hereby, authorized to enter, with the register of the land office who may be appointed for the district in which they are situated, at the rate of one dollar and twenty-five cents per acre, the tracts of land on which they respectively reside, not to exceed, in quantity, six hundred and forty acres each, and to be bounded by sectional or quarter-sectional lines; and, on producing to the said register the receipts of the receiver of public moneys for said district, for the full amount of the purchase money, shall be entitled to patents as in other cases: *Provided*, Such entry and payment be made at any time anterior to the first public sale of lands within said district.

Authorized to enter the tracts of land on which they reside, &c.

Proviso.

No. 1318.—AN ACT supplementary to the several acts for adjusting the claims to land, and establishing land offices, in the districts east of the island of New Orleans.

May 8, 1822.
Vol. 3, p. 707.

[See LOUISIANA, No. 737.]

No. 1319.—AN ACT for the relief of the heirs and representatives of Alexander Montgomery, deceased.

March 3, 1823.
Vol. 6, p. 282.

Be it enacted, &c., That the heirs and legal representatives of Alexander Montgomery, deceased, be, and they are hereby, authorized and empowered to enter four quarter-sections of land, at any time within three years from the passing of this act, at either of the land offices in the States of Mississippi or Alabama; which said four quarter-sections shall be in full satisfaction of all their claims for, and on account of, five hundred and seventeen arpens of land, situate on the waters of the Homochitto, in the now State of Mississippi, to which Alexander Montgomery was entitled by virtue of a Spanish order of survey for four hundred arpens, to Solomon Whitley, dated the fifth of May, seventeen hundred and ninety, and another for three hundred arpens, to John Montgomery, dated the twenty-sixth of April, seventeen hundred and ninety, which said lands have been in part sold by the United States.

Certain lands granted to the heirs of Alexander Montgomery.

Lands must have been offered at public sale.

SEC. 2. *And be it further enacted*, That no lands shall be entered in virtue of this act, which shall not have been previously offered at public sale; nor shall any lands, surrendered under the authority of the act, entitled "An act for the relief of the purchasers of public lands prior to the first day of July, 1820," be so entered, until such lands shall have again been offered at public sale.

March 3, 1823.
Vol. 6, p. 283.

No. 1320.—AN ACT for the relief of Woodson Wren.

Register and receiver at Jackson Courthouse to decide on the claim.

Proviso.

Be it enacted, &c., That the register and receiver of the land office at Jackson Courthouse be, and they are hereby authorized and required, on the application of Woodson Wren, to receive and decide on the proofs of his claim to a tract of land situated on the northeast side of the Bay of Biloxi, between Belle Fontaine Point and the old French fort, which land he claims by virtue of a purchase from Littlepage Robertson; and the said officers are to be governed, in all respects, by the act, entitled "An act for adjusting the claims to land, and establishing land offices, in the districts east of the island of New Orleans," passed the third of March, one thousand eight hundred and nineteen; *Provided*, Such application be made before the first day of July, one thousand eight hundred and twenty-three. (a)

(a) See Nos. 1345, 1385.

May 24, 1824.
Vol. 6, p. 313.

No. 1321.—AN ACT for the relief of the representatives of John Donnelson, Stephen Heard, and others.

His heirs to enter 5,000 acres of land in any land office in Mississippi or Alabama.

Proviso.

Proviso.

Be it enacted, &c., That the heirs and representatives of John Donnelson, Stephen Heard, William Downs, Joseph Martin, John Sevier, and Thomas Carr, or their heirs and representatives, respectively, be, and they are hereby, authorized and empowered, severally, to enter, under the direction of the Secretary of the Treasury, five thousand acres of land, at any time within two years from the passing of this act, in any land office in either of the States of Mississippi or Alabama; being the amount of a grant made to them, by a resolution of the legislature of the State of Georgia, in the year one thousand seven hundred and eighty-six: *Provided*, That the said claim shall be satisfied out of the five millions of acres of land, set apart by the act of Congress, of the third of March, one thousand eight hundred and three, pursuant to the articles of agreement and cession, between the State of Georgia and the United States, entered into on the twenty-fourth day of April, one thousand eight hundred and two: *Provided, also*, That the acceptance of the grant hereby made shall be a discharge of all further claims against the United States by the persons herein named, or their heirs or legal representatives, under the said resolution of the legislature of the State of Georgia. (a)

No entry to be made for less than a quarter-section.

Proviso.

SEC. 2. *And be it further enacted*, That said claims shall not be located or entered on any lands, except those which may have been, previously to the making of said entry, offered at public sale, nor upon any lands forfeited or relinquished to the United States; nor shall any entry be made for a less quantity than a quarter-section: *Provided*, Nothing herein contained shall prevent the entry of any fraction:

(a) See Nos. 1325, 1347, 1364.

May 26, 1824.
Vol. 4, p. 59.

No. 1322.—AN ACT supplementary to the several acts providing for ascertaining and adjusting the titles and claims to land in the St. Helena and Jackson Courthouse land districts.

[See LOUISIANA, No. 745.]

April 23, 1826.
Vol. 4, p. 154.

No. 1323.—AN ACT giving the right of pre-emption, in the purchase of lands, to certain settlers in the States of Alabama, Mississippi, and Territory of Florida.

Right of pre-emption, &c., to certain persons.

SEC. 5. *And be it further enacted*, That every person, or his or her legal representative, comprised in the list of actual settlers, reported to the Commissioner of the General Land Office, by the register and receiver for the district of Jackson Courthouse, in the State of Mississippi, under the

authority of an act of Congress, entitled "An act for adjusting the claims to land, and establishing land offices in the districts east of the island of New Orleans," approved the third day of March, one thousand eight hundred and nineteen, not having any written evidence of claim to land, in said district, and who, on the third day of March, one thousand eight hundred and nineteen, did actually inhabit and cultivate a tract of land in said district, not claimed by virtue of any written evidence of claim, legally derived from either the French, British, or Spanish Governments, or granted as a donation by virtue of any act of Congress heretofore passed, shall be entitled to a right of preference, on becoming the purchaser from the United States of such tract of land, at the same price for which other public lands are sold at private sale: *Provided*, That such tract of land shall not contain more than one hundred and sixty acres, to be located by sectional lines, and that the same shall be duly entered with the register of the proper office, within the term of two years, or before, if the same shall be offered at public sale: *And provided also*, Where any person is settled on, and has improved any school lands in said district, he, she or they, shall be governed by the provisions of the fourth section of this act. (a)

Provided,

Provided.

(a) See Nos. 36, 59, 433, 1266, 1267, 1273, 1274, 1275, 1276, 1277, 1279, 1281, 1288, 1292, 1293, 1298, 1301, 1305, 1315, 1327, 1336, 1361, 1382, 1391, 1408, 1414, 1416, 1417.

No. 1324—AN ACT supplementary to the several acts for ascertaining titles and claims to lands in the St. Helena and Jackson Courthouse land districts.

May 4, 1826.
Vol. 4, p. 159.

[See LOUISIANA, No. 753.]

No. 1325—AN ACT to extend and continue in force "An act for the relief of the representatives of John Donnelson, Stephen Herd, and others."

May 15, 1826.
Vol. 6, p. 340.

Be it enacted, &c., That an act, entitled "An act for the relief of the representatives of John Donnelson, Stephen Herd, and others," passed the twenty-fourth of May, one thousand eight hundred and twenty-four, be, and the same is hereby, extended and continued for twelve months, from and after the passing of this act. (a)

Act of May 24, 1824, extended for twelve months.

(a) See Nos. 1321, 1347, 1364.

No. 1326—AN ACT for the relief of the legal representatives of William V. Keary, deceased.

May 20, 1826.
Vol. 6, p. 352.

Be it enacted, &c., That the legal representatives of William V. Keary, deceased, be, and they are hereby, confirmed in their title to a tract of land of four hundred arpens, lying on the east side of the Little Bayou Sarah, a part being in the State of Mississippi, and a part in the State of Louisiana, and being the same for which the said Keary received a deed of conveyance, on the twenty-fifth day of January, eighteen hundred and seventeen, from Richard Graves, and on which the widow of the said decedent now resides, and that the Commissioner of the General Land Office, upon being furnished with a plat and certificate of the survey of the land, executed by any authorized surveyor of the United States, issue a patent for the same: *Provided, however*, That this act shall be construed as a mere relinquishment on the part of the Government, and as not affecting the rights of any third person.

Land title confirmed.

Provided.

No. 1327—AN ACT declaring valid and legalizing certain sales of land in the State of Mississippi.

May 20, 1826.
Vol. 4, p. 189.

Be it enacted, &c., That the sales of lands lying in Monroe County, in the State of Mississippi, which have been sold at the land offices of Huntsville, and Tuscaloosa, since the thirtieth of October, eighteen hundred and twenty-two, are hereby legalized and declared valid, as though made at the proper land offices; and that patents be issued for them, in the same manner as for other lands sold at the land offices at Huntsville and Tuscaloosa. (a)

Lands lying in Monroe County, Mississippi, which have been sold since Oct., 1822, legalized, &c.

(a) See Nos. 36, 59, 433, 1266, 1267, 1273, 1274, 1275, 1276, 1277, 1279, 1281, 1288, 1292, 1293, 1298, 1301, 1305, 1315, 1323, 1336, 1361, 1382, 1391, 1408, 1414, 1416, 1417.

Feb. 22, 1827.
Vol. 4, p. 205.

No. 1328.—AN ACT to authorize the President of the United States to remove the land office in the Choctaw district, in the State of Mississippi.

Be it enacted, &c., That it shall and may be lawful for the President of the United States, whenever he shall deem it proper, to remove the land office, now located at Jackson, in the Choctaw land district, in the State of Mississippi, and to locate and establish the same at any other convenient and suitable place within the same land district. And it shall be the duty of the register and receiver of said land office, so soon as the removal shall be ordered, and such new location made by the President, to remove all the records, books, and papers appertaining to said land office, to the place designated. (a)

(a) See Nos. 731, 1266, 1272, 1275, 1279, 1298, 1305, 1310, 1315, 1349, 1355, 1363, 1373.

March 2, 1827.
Vol. 6, p. 361.

No. 1329.—AN ACT for the relief of Polly Bell, alias Polly Collins.

Be it enacted, &c., That Polly Bell, otherwise called Polly Collins, or, in case of her decease, her legal representative, be, and hereby is, authorized to enter with the register of the land office for the Choctaw district, in the State of Mississippi, one section of land, in said district, of any lands within the same, which have not been offered at public sale: *Provided*, That the said Polly Bell, otherwise Polly Collins, shall release to the governor of the State of Mississippi, for the use and benefit of a seminary of learning, all her right, title, and interest, in section numbered thirty-two, of township nine, and range four west, in said Choctaw district, which section has been heretofore entered by the governor of said State for the use aforesaid: *And provided, also*, That the said Polly Bell, otherwise Polly Collins, actually resided upon the said section of land upon the day the same was entered by the governor of said State with the register of the land office.

March 3, 1827.
Vol. 6, p. 366.

No. 1330.—AN ACT for the relief of Thomas Gulledge.

Be it enacted &c., That Thomas Gulledge, of Pike County, in the State of Mississippi, be, and he hereby is, authorized to enter with the register of the Land Office at Washington, in said State, one half-quarter of a section of land, in the land district west of Pearl River, upon any land in said district which may have been offered at public sale before such entry shall be made, and which shall not have been sold: *Provided*, That the said Thomas Gulledge shall, previous to such entry, surrender his patent for the west half of the northwest quarter-section twenty, in township four, of range ten east, in the State of Mississippi, containing eighty acres, and convey to the United States all his right, title, and interest in the said half-quarter of a section above described in the said patent, according to the laws of the State of Mississippi, and to the satisfaction of the said register.

May 9, 1828.
Vol. 6, p. 377.

No. 1331.—AN ACT for the relief of Elvington Roberts, of Mississippi.

Be it enacted, &c., That Elvington Roberts, of Adams County, in the State of Mississippi be, and he is hereby, authorized to relinquish to the United States the east half of the southeast quarter, section twenty-four, in township two, of range four, east, in the State of Mississippi; and to enter, instead thereof, the east half of the southwest quarter of section number twenty-four, in township number two, of range number four, east of the basis meridian, in the district of lands sold at Washington, Mississippi, if the same shall remain unsold when he makes application; or if it shall have been sold, then he is permitted to enter any other half quarter-section in the same land district, that shall be liable to entry at private sale, instead of the lands relinquished by the provisions of this bill.

May 19, 1828.
Vol. 6, p. 394.

No. 1332.—RESOLUTION authorizing an examination of the claims to the land of John F. Carmichael.

Be it resolved, &c., That John F. Carmichael, of Wilkinson County, State of Mississippi, be authorized to present to the register and receiver of the land office at Washington, Mississippi, the papers and documents having relation to the title to two tracts of land which he claims by virtue of what he alleges to be complete grants from the Spanish Government, in favor of Claudio Bougard, one dated the thirtieth of No-

vember, one thousand seven hundred and eighty-nine, for one thousand arpens, the other dated the sixth of March, one thousand seven hundred and ninety-four, for one thousand and thirty-four arpens, lying and being in the States of Louisiana and Mississippi, divided by the line of demarcation which then existed between the two governments, and the said register and receiver are hereby authorized to examine and report upon the same; under all the rules, regulations, and responsibilities, which were made applicable to the board of commissioners appointed west of Pearl River. (a)

(a) See No. 1338.

No. 1333.—AN ACT supplementary to the several acts providing for the adjustment of land claims in the State of Mississippi.

May 24, 1828.
Vol. 4, p. 299.

Be it enacted, &c., That the claimants of lands within that part of the limits of the land district of Jackson Courthouse, in the State of Mississippi, lying below the thirty-first degree of north latitude, whose claims have been presented to the commissioners appointed to receive and examine claims and titles to lands in said district of Jackson Courthouse, or to the register and receiver of the land office at Jackson Courthouse, acting as commissioners under the provisions of the act of third of March, one thousand eight hundred and nineteen, entitled "An act for adjusting the claims to lands, and establishing land offices in the district east of the island of New Orleans," and which have not been reported to Congress, or whose claims have not been heretofore presented to said commissioners, or to the register and receiver acting as commissioners, or whose claims have been acted upon, but additional evidence adduced, be allowed until the first day of January, one thousand eight hundred and twenty-nine, to present their titles and claims, and the evidence in support of the same, to the register and receiver of the land office at Jackson Courthouse, in the State of Mississippi, whose powers and duties in relation to the same, shall, in all respects, be governed by the provisions of the acts before recited, and of the act of the eighth of May, eighteen hundred and twenty-two, entitled "An act supplementary to the several acts for adjusting the claims to land, and establishing land offices in the district east of the island of New Orleans."

Claimants of lands within that part of the limits of the land district of Jackson Courthouse lying below the 31st degree of north latitude whose claims have been presented by the commissioners under act of March 3, 1819, whose claims have not been acted upon, allowed until Jan. 1, 1829, to present their titles, &c.

SEC. 2. *And be it further enacted*, That the said register and receiver shall have power to receive and examine such titles and claims, and for that purpose shall hold their sessions at Jackson Courthouse, and the town of Shieldsborough. They shall give immediate notice after the passage of this act of the time and place of their meeting, but may adjourn from time to time as may best suit the convenience of claimants, upon giving due notice thereof. And the said register and receiver shall have power to appoint a clerk, who shall be a person capable of translating the French and Spanish languages, and who shall perform the duty of translator and such other duty as may be required by the said register and receiver; and the said register and receiver shall each be allowed, as a compensation for their services in relation to said claims, and, for the services to be performed under the provisions of the several acts to which this is a supplement, the sum of eight hundred dollars each, and the clerk the sum of eight hundred dollars: which several sums of money shall be paid out of any money in the Treasury not otherwise appropriated: *Provided*, That the payment of the whole of the aforesaid compensation shall be withheld by the Secretary of the Treasury, until a report, approved by him, shall have been made to him by said register and receiver, of the performance of the services herein required. (a)

Register and receiver to hold their sessions at Jackson Courthouse, and the town of Shieldsborough, &c.
Register and receiver to appoint a clerk.

Their compensation each.

Payment of compensation to be withheld, until, &c.

(a) See Nos. 718, 723, 731, 737, 745, 753, 1067, 1265, 1266, 1268, 1270, 1271, 1275, 1276, 1284, 1286, 1287, 1292, 1294, 1296, 1299, 1300, 1310, 1318, 1322, 1324, 1334, 1336, 1366, 1382, 1399.

No. 1334.—AN ACT confirming the reports of the register and receiver of the land office for the district of St. Stephens, in the State of Alabama, and for other purposes.

March 2, 1830.
Vol. 4, p. 358.

[Certain claims to lands in the territory east of Pearl River and west of the Perdido to be filed with the register and receiver at Saint Stephens, Alabama. See ALABAMA, No. 1484.]

May 28, 1830.
Vol. 6, p. 436.

Land patent to
issue.

Proviso.

No. 1335.—AN ACT for the relief of Ann Brashears, of Mississippi.

Be it enacted, &c., That upon the return of a plat and certificate of survey, legally made, to the General Land Office, a patent shall be issued to Ann Brashears for four hundred and eighty arpents of land, in the county of Claiborne, and State of Mississippi, on the north side of the North Fork of Bayou Pierre, being the residue of a tract of eight hundred arpents surveyed for her, under the Spanish Government, by one William Thomas, then deputy surveyor for William Vausdan, surveyor, after deducting therefrom the quantity of three hundred and twenty arpents which has been confirmed to one Richard Sparks; which survey of eight hundred arpents included the place called the White Lick Ground, and a camp near the centre thereof, in which one Benjamin Foy once resided: *Provided, however,* That such patent shall convey such title only as the United States now may have to it, and shall not include any land to which any other person has a legal title, and shall not be issued until satisfactory evidence be laid before the Commissioner of the General Land Office, that it does not include any land to which any other person sets up a legal title.

May 28, 1830.
Vol. 4, p. 408.

Certain claims
confirmed.

Proviso.

Proviso.

Lands inhabit-
ed before April,
15, 1813.

Proviso.

Pre-emption
granted to cer-
tain persons.

No. 1336.—AN ACT to confirm certain claims to lands in the district of Jackson Courthouse, in the State of Mississippi.

Be it enacted, &c., That all the claims to lands reported by the register and receiver of the land office for the district of Jackson Courthouse, in the State of Mississippi, under the provisions of the act of Congress, approved on the twenty-fourth day of May, one thousand eight hundred and twenty eight, entitled "An act supplementary to the several acts providing for the adjustment of land claims in the State of Mississippi," as founded on any order of survey, requette, permission to settle, or other written evidence of claim derived from the Spanish authorities, which ought, in the opinion of the said register and receiver, to be confirmed, and which, by the said reports, appear to be derived from the Spanish Government prior to the twentieth of December, one thousand eight hundred and three, and the land claimed to have been cultivated and inhabited on or before that day, shall be confirmed in the same manner as if the title had been completed: *Provided,* That, in all such claims, where the plat and certificate of survey, made prior to the fifteenth day of April, one thousand eight hundred and thirteen, under the authority of the Spanish Government, in pursuance of such claim, has not been filed with the said register and receiver, such claim shall not be confirmed to any one person for more than twelve hundred and eighty acres; and that for all the other claims comprised in the reports as aforesaid, and which ought, in the opinion of the register and receiver, to be confirmed, the claimant to such land shall be entitled to a grant therefor, as a donation not to exceed twelve hundred and eighty acres to any one person: *And provided also,* That the claim of the representatives of Louis Boisdore, numbered four, in report numbered three, shall not be confirmed to more than twelve hundred and eighty acres; and all the confirmations of the said incomplete titles and grants of donations, hereby provided to be made, shall amount only to a relinquishment for ever, on the part of the United States, of any claim whatever to the tract of land so confirmed or granted without prejudice to the interests of third persons.

SEC. 2. *And be it further enacted,* That every person, or his or her legal representatives, whose claim is embraced by the said register and receiver in their reports numbers five, six, and seven, of actual settlers, or their legal representatives, not having any written evidence of claim, shall, where it appears by the said reports that the land claimed or settled on had been actually inhabited and cultivated by such person or persons, in whose right the same is claimed, on or before the fifteenth day of April, one thousand eight hundred and thirteen, be entitled to a grant for the land so claimed or settled on, as a donation: *Provided,* That not more than one tract shall be granted to any one person, and the same shall not exceed six hundred and forty acres, to include his or her improvements, and to be bounded by sectional or divisional lines; and that no lands shall be thus granted which are claimed or recognised by the preceding section. (a)

SEC. 3. *And be it further enacted,* That every person, or his or her legal representatives, comprised in the aforesaid reports of actual settlers, not having any written evidence of claim, who, on the third day of March, one thousand eight hundred and nineteen, did, as appears by

those reports, actually inhabit and cultivate a tract of land in the said district, not claimed under any written evidence of title legally derived from the French, British, or Spanish Governments, or granted as a donation, shall be entitled to become the purchaser of the quarter-section, or two eighths of any section, on which the improvements may be, and including the same, at the same price for which other public lands are sold at private sale: *Provided*, That the same shall be entered with the register of the land office, within the term of two years, or before, if the same shall be offered at public sale: *And provided also*, That, where any such person is settled on, and has improved any school lands in said district, such person shall be governed by the provisions of the fourth section of the act approved on the twenty-second day of April, one thousand eight hundred and twenty-six, entitled "An act giving the right of pre-emption, in the purchase of lands, to certain settlers in the States of Alabama, Mississippi, and Territory of Florida." (b)

Proviso.

Proviso.

SEC. 4. *And be it further enacted*, That the register and receiver of the said district shall possess the same powers, and perform the same duties, in relation to the claims confirmed by this act, as are given to, and required of them by the act of Congress of the eighth of May, one thousand eight hundred and twenty-two, entitled "An act supplementary to the several acts for adjusting the claims and titles to lands, and establishing land offices, in the district east of the island of New Orleans. Powers, &c., of register and receiver.

(a) See Nos. 718, 723, 731, 737, 745, 753, 1067, 1265, 1266, 1268, 1270, 1271, 1275, 1276, 1284, 1286, 1287, 1292, 1294, 1296, 1299, 1300, 1310, 1318, 1322, 1324, 1333, 1334, 1386, 1388, 1399.

(b) See Nos. 36, 59, 433, 1266, 1267, 1273, 1274, 1275, 1276, 1277, 1279, 1281, 1288, 1292, 1293, 1298, 1301, 1305, 1315, 1323, 1327, 1361, 1382, 1391, 1408, 1414, 1416, 1417.

No. 1337.—AN ACT for the relief of the heirs of Colonel John Ellis, deceased.

May 29, 1830.
Vol. 6, p. 444.

Be it enacted, &c., That the heirs of Colonel John Ellis, formerly of the State of Mississippi, now deceased, be permitted to enter, without the payment of any consideration therefor, one section of the public land, according to the public surveys hitherto made, in the State of Mississippi; and that a patent therefor be issued to them by the proper authority: *Provided, however*, That, previous to the issuing of said patent, they shall file with the Commissioner of the General Land Office a deed, relinquishing to the United States all claim to a tract of land of like quantity, for which a certificate, number thirty-one, register's number one thousand and one, was issued to their ancestor John Ellis, on the eighteenth day of September, one thousand eight hundred and fifteen, by Nicholas Gray, register, and Parker Walton, receiver, west of Pearl River, acting as commissioners under the act of Congress of the thirtieth of June, one thousand eight hundred and twelve, entitled "An act confirming claims to lands in the Mississippi Territory, founded on warrants of survey granted by the British or Spanish Governments."

Authorized to enter a section of land.

Proviso.

SEC. 2. *And be it further enacted*, That no patent shall be issued on any survey founded on said certificate; and that any patent so issued, shall be absolutely void.

No. 1338.—AN ACT for the relief of John F. Carmichael, of the State of Mississippi.

May 31, 1830.
Vol. 6, p. 449.

Be it enacted, &c., That John F. Carmichael, of the State of Mississippi be, and he is hereby, confirmed in his claims to two tracts of land, by virtue of two Spanish grants in favor of Claudio Bourgard, one dated the thirtieth of November, one thousand seven hundred and eighty-nine, for one thousand arpens, the other dated sixth March, one thousand seven hundred and ninety-four, for one thousand and thirty-four arpens, lying and being partly in each of the States of Louisiana and Mississippi, on Week's Creek, which rises in Wilkinson County, Mississippi, and runs into the parish of Feliciana, Louisiana, through the line of demarkation dividing said States, near the Lake of the Cross, adjoining the lands of Christian Bingaman on the south; the same having been reported for confirmation by the commissioners of the land office at St. Helena, Louisiana, in their report of January, one thousand eight hundred and twenty-four. Land claim confirmed.

Patents to issue.

SEC. 2. *And be it further enacted*, That the Commissioner of the General Land Office, upon being presented with plats and certificates of survey of the said tracts of land, legally executed by a proper officer, shall issue patents for the same; which patents shall operate only as a relinquishment, on the part of the United States, of all right and title to said lands.

Right to enter other land.

SEC. 3. *And be it further enacted*, That, if it shall appear to the satisfaction of the Commissioner of the General Land Office that the claims, or any part thereof, herein mentioned, shall have been sold, patented, or confirmed, to any other person, previous to the passage of this act, then, and in that case, the said John F. Carmichael shall be allowed to enter the same number of acres of the claims thus sold, patented or confirmed, to any other person, on any of the unappropriated lands in the State of Mississippi, in the land district of St. Helena, in the State of Louisiana, that may be subject to private entry, conforming, in such entry, to the divisions and subdivisions established by law. (a)

(a) See No. 1332.

Jan. 13, 1831.
Vol. 6, p. 451.

No. 1339.—AN ACT for the benefit of schools in Lawrence County, Mississippi.

Section of land to be located.

Be it enacted, &c., That one section of the public lands subject to private entry and sale in the State of Mississippi, be located for the use and benefit of schools in Lawrence County, in said State, in lieu of the sixteenth section sold and patented to Will Whitehead.

Authority to locate.

SEC. 2. *And be it further enacted*, That any person appointed by order of the probate court, in and for the county of Lawrence, be, and he is hereby, authorized to locate the quantity of land named in this act, for the purposes above named. (a)

(a) See Nos. 1266, 1271, 1275, 1277, 1295, 1298, 1305, 1315, 1365, 1366, 1375, 1387, 1402, 1406, 1416.

Jan. 19, 1831.
Vol. 4, p. 432.

No. 1340.—AN ACT to amend an act, entitled "An act to provide for paying to the States of Missouri, Mississippi, and Alabama, three per centum of the net proceeds arising from the sale of the public lands within the same.

[See MISSOURI, No. 1015.]

Feb. 19, 1831.
Vol. 6, p. 453.

No. 1341.—AN ACT for the relief of William Burris, of Mississippi.

May relinquish a certain tract of land and locate another.

Be it enacted, &c., That William Burris be allowed to relinquish to the United States the east half of the southwest quarter of section twenty-one, township three, range six, east, containing eighty acres entered by mistake, and to locate in lieu thereof, another half quarter-section of land on any of the public lands of the United States, in the State of Mississippi, which has been offered at public sale, and is now subject to entry at private sale. (a)

(a) See No. 1357.

March 2, 1831.
Vol. 6, p. 463.

No. 1342.—AN ACT for the relief of the legal representatives of Peter Celestino Walker and John Peter Walker, deceased, and of Joseph Walker, of the State of Mississippi.

Representatives, &c., authorized to enter certain lands.

Be it enacted, &c., That the legal representatives of Peter Celestino Walker, deceased, be, and they are hereby, authorized to enter and locate on any of the public lands of the United States, in the State of Mississippi, which have been offered for sale at public sale, and are now subject to entry at private sale, the quantity of five hundred acres of land, by legal subdivisions, in lieu of the quantity of five hundred acres of land granted to the said Peter Celestino Walker, by the Spanish Government by warrant, and order of survey, which has been sold by the United States. And that the legal representatives of John Peter Walker, deceased, be, and they are hereby, authorized to enter and locate on any of the public lands of the United States in the State of Mississippi which have been offered for sale, and are now subject to entry at private sale, five hundred acres of land, in legal subdivisions, in lieu of the quantity of five hundred acres, granted to the said John Peter Walker, by the Spanish Government by warrant and order of survey, which has been sold by the United States.

SEC. 2. *And be it further enacted,* That Joseph Walker be, and he hereby is, authorized to enter and locate on any of the public lands of the United States, in the State of Mississippi, which have been offered at public sale, and are now subject to entry at private sale, five hundred acres of land, by legal subdivisions, in lieu of five hundred acres granted to the said Joseph Walker by the Spanish Government, by warrant and order of survey, which has been sold by the United States.

Joseph Walker
authorized to lo-
cate a tract of
land.

No. 1343.—AN ACT to create the office of surveyor of the public lands for the State of Louisiana.

March 3, 1831.
Vol. 4, p. 492.

[Maps, records, &c., relating to lands in State of Mississippi to be delivered to surveyor of lands south of State of Tennessee. See LOUISIANA, No. 777.]

No. 1344.—AN ACT for the relief of Samuel Coburn, of the State of Mississippi.

March 3, 1831.
Vol. 6, p. 469.

Be it enacted, &c., That the surveyor-general of the public lands south of the State of Tennessee, be, and he is hereby, authorized and required to cause to be surveyed by the proper officer a certain tract of land, claimed by Samuel Coburn, lying on the waters of Chubby's Fork of the Bayou Pierre, Claiborne County, Mississippi, originally claimed by William Thomas, by virtue of a Spanish warrant or order of survey, granted to said Thomas on the twenty-first of March, one thousand seven hundred and ninety-five; and that a correct return and plat of the same be made to his office, stating how much of said claim has been sold or confirmed by the United States, to Abraham Barnes or any other person.

Survey of land
claim.

SEC. 2. *And be it further enacted,* That the said Samuel Coburn is authorized to locate, on any of the public lands within the State of Mississippi, so many acres of the claim above referred to as may be ascertained by said survey and plat to be sold or confirmed to Abraham Barnes or any other person; and that the remainder of the original Spanish grant to Thomas be, and the same is hereby, confirmed to Samuel Coburn: *Provided,* That such confirmation shall only operate as a relinquishment of all right and title on the part of the United States to said land.

Location of
land.

Proviso.

No. 1345.—AN ACT for the relief of Woodson Wren, of Mississippi.

March 3, 1831.
Vol. 6, p. 469.

Be it enacted, &c., That Woodson Wren, of the State of Mississippi, be, and he is hereby, confirmed to a tract of land containing eight hundred arpens, situated on the east side of the bay of Biloxi, in the county of Jackson, and State of Mississippi, between Bellfontaine and the old French fort, claimed by virtue of a purchase from Littleberry Robertson, and reported for confirmation by the register and receiver of the land office at Jackson Courthouse, Mississippi, dated July the twelfth, one thousand eight hundred and twenty-three.

Claim to land
confirmed.

SEC. 2. *And be it further enacted,* That the Commissioner of the General Land Office, upon being presented with plats and certificates of survey of the said tract of land, legally executed by a proper officer, shall issue a patent for the same; which patent shall operate only as a relinquishment, on the part of the United States, of all right and title to said land.

Patent to be is-
sued.

SEC. 3. *And be it further enacted,* That, if it shall appear to the satisfaction of the Commissioner of the General Land Office that the claim herein above alluded to, or any part thereof, shall have been sold, patented, or confirmed, to any person, previous to the passage of this act, then and in that case, the said Woodson Wren shall be allowed to enter the same number of acres of the claim thus sold, patented, or confirmed, to any other person, or any of the unappropriated lands in the State of Mississippi that may be subject to private entry, conforming, in such entry, to the divisions and subdivisions established by law. (a)

In case said
tract shall have
been sold, &c., al-
lowed to enter
another tract.

(a) See Nos. 1320, 1385.

April 20, 1832. No. 1346.—AN ACT for the relief of Jefferson College in the State of Mississippi.
Vol. 6, p. 484.

Be it enacted, &c., That the trustees of Jefferson College in the State of Mississippi be, and they are hereby, authorized to relinquish by a resolution of the board, all the right, title and interest of said college in and to certain lands to be particularly described in said resolution by the sectional numbers being in township number ten, of ranges number one and two west, in the district of lands offered for sale at St. Stephen's, heretofore reserved for the use of said college; and an attested copy of said resolution signed by the president and secretary of the board under the corporate seal of the institution, shall be placed on file in the General Land Office, and operate as a full release of all claim to said lands on the part of said college.

Authorized to locate certain other lands, &c. SEC. 2. *And be it further enacted,* That the board of trustees of said college, under the superintendence of the Secretary of the Treasury shall be, and is hereby, authorized to locate or enter, or cause to be located or entered, in tracts not less in quantity than two sections in one body, such a number of sections, or legal subdivisions of sections of the unappropriated land of the United States, within the State of Mississippi, as may be equal in number to those which may be relinquished by said board in virtue of the first section of this act, to be selected, entered or located, either before or after the same may have been offered at public sale, conforming in such entries or locations, to the legal subdivisions established by the surveys made or to be made under the authority of the United States; and such entries or locations shall be made with the register of the land office for the district in which the land so entered or located may lie, and it shall be the duty of such register to designate such land on the maps and other books in his office in the same manner as lands sold by him, and to issue in each case a certificate of such entry or location in the form to be prescribed by the Commissioner of the General Land Office, which certificate shall vest a full and complete title to the land described therein in Jefferson College, and thereupon a patent shall issue.

Authority to sell or lease. SEC. 3. *And be it further enacted,* That the board of trustees of Jefferson College be and they are hereby authorized and permitted to sell or lease for any term of years, the lands which may be entered or located by virtue of this act, for the benefit of said college, and the deed or deeds of the said trustees, shall vest a valid title in fee-simple in all lands sold by them in virtue of the authority herein conferred: *Provided,* That the proceeds of such sales shall constitute a permanent fund for the use of said college.

Authority to transfer right of location or entry, &c. SEC. 4. *And be it further enacted,* That to enable the trustees to secure to the said college, all the benefits arising from this act with as little delay and expense as practicable, they may and they are hereby authorized, if in their opinion the interests of said institution would be promoted thereby, to transfer the right of location or entry conferred by this act, either in whole or in part; and the person or persons legally holding the deed or deeds of transfer, passed under the corporate seal of said college, shall be allowed to make the selection, entry, or location, in the manner provided and in the quantity so transferred, and shall be entitled to receive a certificate or certificates from the register of the proper land district, and which shall be issued to the legal holder of such deed of assignment as the assignee of Jefferson College, and the title under such certificate shall be accounted and held as valid and complete as if a patent had issued therefor, and all certificates, which may be issued by virtue of this act, shall be recorded in the office from which they emanate, and for each certificate so issued and recorded, the register shall be entitled to two dollars, to be paid by the party in whose favor such certificate may be issued. (a)

(a) See Nos. 1266, 1268, 1282.

May 19, 1832. No. 1347.—AN ACT to revive and continue in force "An act for the relief of the representatives of John Donelson, Stephen Heard, and others."

Be it enacted, &c., That an act, entitled "An act for the relief of the representatives of John Donelson, Stephen Heard, and others," passed the twenty-fourth of May, one thousand eight hundred and twenty-four, be, and the same is hereby, revived and continued in force for the term of twelve months, from and after the passage of this act. (a)

(a) See Nos. 1321, 1325, 1364.

Act of May 24, 1824, revived and continued for twelve months.

No. 1348.—AN ACT for the relief of Allen W. Hardie.May 19, 1832.
Vol. 1, p. 487.

Be it enacted, &c., That Allen W. Hardie, of the city of New York, be, and he is hereby, permitted, at any time before the first day of July, in the year one thousand eight hundred and thirty-two, to complete the payment for the southeast quarter of section three, in township three, of range five, east, in the district of land west of Pearl River, containing one hundred and forty-six and sixty-two hundredths acres; and, also, for the southwest quarter of section three, in township three, of range five, east, in the same district, containing one hundred and forty-six and sixty-two hundredths acres; which two quarter-sections of land were purchased in one thousand eight hundred and eighteen, at the price of two dollars per acre, each, and one-fourth of the price then paid, by Abram Lundy, under whom the said Hardie claims by several assignments, but the remaining three-fourths of the price are still unpaid; and that, upon said Hardie completing the payment for said two quarter-sections of land at the General Land Office in Washington, at any time before said first day of July, one thousand eight hundred and thirty-two, according to the terms offered by the first section of an act, approved thirty-first March, one thousand eight hundred and thirty, entitled "An act for the relief of the purchasers of public lands, and for the suppression of fraudulent practices at the public sales of the lands of the United States," patents for the two quarter-sections above described shall issue to him in the usual form: *Provided, however,* That nothing herein contained shall be construed to affect the right of any other person or persons claiming under the original purchase of Abram Lundy.

Permitted to complete payment for certain lands, and to receive patents.

Proviso.

No. 1349.—AN ACT to authorize the removal of the land office from Mount Salus, in the State of Mississippi, and to remove the land office from Franklin to Fayette, in the State of Missouri.May 22, 1832.
Vol. 4, p. 517.

Be it enacted, &c., That the land office at Mount Salus, in the Choctaw district, in the State of Mississippi, shall be removed to, and located at, such place in the said land district as the President of the United States may direct, if in his opinion any removal be necessary; and that the land office at Franklin, in the county of Howard, State of Missouri, shall be removed to, and located in, the town of Fayette in said county; and it shall be the duty of the registers, and the receivers of public money for said land offices, within sixty days from and after the passage of this act, to remove the books, records, and whatever else belongs to said offices, to their respective places of location as herein provided for. (a)

Land offices to be removed.

(a) See Nos. 731, 1266, 1272, 1275, 1279, 1298, 1305, 1310, 1315, 1328, 1355, 1363, 1373.

No. 1350. AN ACT for the relief of Nathaniel A. Ware.July 13, 1832.
Vol. 6, p. 508.

Be it enacted, &c., That Nathaniel A. Ware be, and hereby is, authorized to locate, on any of the unappropriated lands of the United States, in the State of Mississippi, subject to sale at private entry, two thousand acres of land, in lieu of the like quantity, or of two thousand three hundred and sixty-four arpens, granted to Alexander Moore, by virtue of a Spanish patent dated the twenty-second day of June, in the year of our Lord one thousand seven hundred and ninety-one, and confirmed to James Moore, under whom the said Nathaniel A. Ware claims, by the board of commissioners west of Pearl River, on the fifth day of September, in the year of our Lord one thousand eight hundred and five, and sold by the United States: *Provided,* That the location herein authorized shall conform to the divisions and subdivisions established by law: *And provided, also,* That the said Nathaniel A. Ware shall execute a deed, in such form as the Secretary of the Treasury of the United States shall approve, relinquishing and surrendering to the United States the land granted as aforesaid, to the said Alexander Moore.

Authorized to locate 2,000 acres of land in Mississippi.

Proviso.

Proviso.

No. 1351.—AN ACT for the relief of the legal representatives of Peter, Catharine, and Charles Surget.July 13, 1832.
Vol. 6, p. 509.

Be it enacted, &c., That the legal representatives of Peter, Catharine, and Charles Surget, that is to say, Francis Surget, Jacob Surget, Charlotte C. Bingaman, James Surget, Catharine Pilmore, and William Surget, the living heirs of Peter and Catharine Surget, and Charles Surget, deceased, in conjunction with the devisees of Susannah Stocker, who was also one of the heirs, but died, devising her real estate to Charlotte C.

Authorized to locate 640 acres of land in Mississippi.

Bingaman, Catharine Pilmore, James Surget, and Adam L. Bingaman, who, as such, are entitled to one undivided seventh part of said two grants of land to Peter and Charles Surget, be, and they are hereby, authorized to locate, on any of the unappropriated lands of the United States, in the State of Mississippi, subject to sale at private entry, six hundred and forty acres of land, in lieu of the like quantity granted, to Peter Surget by virtue of a Spanish warrant or order of survey dated November thirteenth, one thousand seven hundred and ninety-four, and confirmed to Catharine Surget (wife of said Peter) on the twenty-sixth of November, one thousand eight hundred and twelve, and sold by the United States.

Representatives of Charles Surget authorized to locate 500 arpens, &c.

Proviso.

SEC. 2. *And be it further enacted*, That the legal representatives of Charles Surget be, and they are hereby, authorized to locate on any of the unappropriated lands of the United States, in the State of Mississippi, subject to sale at private entry, five hundred arpens, in lieu of the like quantity granted to Charles Surget by virtue of a warrant or order of survey, dated December thirteenth, one thousand seven hundred and ninety-four, and confirmed by the board of commissioners west of Pearl River, on the twenty-sixth day of November, one thousand eight hundred and twelve, and sold by the United States: *Provided*, That the locations herein authorized, shall, in each case, conform to the divisions and subdivisions established by law.

July 14, 1832.
Vol. 6, p. 521.

NO. 1352.—AN ACT granting to Middleton McKay, a section of land in lieu of the reservation given him by the treaty of Dancing Rabbit Creek.

Grant of land to him.
Proviso.

Proviso.

Be it enacted, &c. That there be granted to Middleton McKay, of the State of Mississippi, six hundred and forty acres of land, including his improvements: *Provided*, The said Middleton McKay shall release to the United States, in such form as the Commissioner of the General Land Office may direct, all right or interest he may have in a reservation secured to him by the treaty made with the Choctaws at Dancing Rabbit Creek; *Provided*, That the said Middleton McKay shall hold the said six hundred and forty acres hereby granted, (to be surveyed in such form as the original reservation in said treaty was required to be surveyed) subject to the conditions and restrictions imposed by the said treaty upon the original reservation.

July 14, 1832.
Vol. 6, p. 523.

NO. 1353.—AN ACT for the relief of Hartwell Vick of the State of Mississippi.

Jesse Bell authorized to locate land.

Proviso.

SEC. 2. *And be it further enacted*, That Jesse Bell of Wilkinson County, Mississippi, be, and he is hereby authorized to locate in tracts of not less than eighty acres, not exceeding one section of any of the unappropriated lands of the United States within the State of Mississippi, subject to entry at private sale at the time of such location, in lieu of fractional section number fifteen, in township two of range four west, purchased on the seventh day of December, in the year eighteen hundred and eighteen, by his father William Bell, deceased, through a mistake in the original plat of survey: for which land, when so located, a patent shall issue to the said Jesse Bell, in the manner prescribed by law for the issuing of patents in other cases, on transmitting to the General Land Office a certificate of the register of the proper office of his having made such location: *Provided*, The said Jesse Bell shall file in the land office of the district where such land may lie, a relinquishment of all of his right, title, and interest, in and to the fractional section entered by mistake as aforesaid, in such form as shall be directed by the Secretary of the Treasury.

Jan. 28, 1833.
Vol. 6, p. 529.

NO. 1354.—AN ACT for the relief of Matthews Flournoy, and R. J. Ward of the State of Mississippi.

Exchange of reservation for schools.

Be it enacted, &c., That section number eleven, in township number fourteen, and range eight, west, in the State of Mississippi, be, and the same is hereby, reserved from sale, and appropriated for the use of schools in the said township, in lieu of section number sixteen, in that township; and the section number eleven shall be taken and held in all respects, and for the same purposes, as section number sixteen would have been held and taken, if this act had not been passed: *Provided*,

That the Secretary of the Treasury shall first be satisfied, that the majority of the inhabitants of said township, desire said exchange. Proviso.

SEC. 2. *And be it further enacted*, That the said sixteenth section shall be liable to be sold in the same manner as section number eleven would have been, if this act had not been passed.

No. 1355.—AN ACT to create sundry new land offices, and to alter the boundaries of other land offices of the United States. March 2, 1833.
Vol. 4, p. 653.

Be it enacted, &c., That so much of the lands ceded to the United States by the treaties made and concluded with the Choctaw tribe of Indians, near Doak's Stand, on the eighteenth day of October, one thousand eight hundred and twenty, and at Dancing Rabbit Creek, on the twenty-seventh day of September, one thousand eight hundred and thirty, as is situated north of the line dividing townships nineteen and twenty, and west of the line dividing ranges seven and eight, east, be, and the same is hereby, established into a land district, to be designated as the northwestern district. Choctaw lands to form northwestern land district.

Bounda.

SEC. 2. *And be it further enacted*, To so much of the land ceded by the Choctaw tribe of Indians to the United States, by said treaty of the twenty-seventh day of September, one thousand eight hundred and thirty, as is situated west of the basis meridian, and south of the dividing line between townships nineteen and twenty, north, be, and the same is attached to the Choctaw district, established by an act of the seventh of May, eighteen hundred and twenty-two. Choctaw district, by act of May 6, 1822, extended.

SEC. 3. *And be it further enacted*, That so much of the lands ceded to the United States, by said treaty of the twenty-seventh of September, eighteen hundred and thirty, as is situated north of the dividing line between townships seven and eight, east of the basis meridian, and south of the northwestern district, and the southern boundary of the lands of the Chickasaw tribe of Indians, shall constitute a land district to be designated as the northeastern district; and the lands of the United States in the counties of Monroe and Lowndes, now subject to sale in the Choctaw district, shall, from and after the first day of May next, be subject to sale at the land office in the said northeastern district; and it shall be the duty of the register at Mount Salus, under instructions from the Commissioner of the General Land Office, to transfer all such books, maps, records, field-notes, and plats, or transcripts thereof relating to the surveys of the public lands in Monroe and Lowndes Counties, to the register of the northeastern district, as may be necessary to enable him to comply with the provisions of this act. Northeastern district.

Bounda.

Lands in Monroe, &c., to be subject to sale.

Transfer of books, &c.

SEC. 4. *And be it further enacted*, That so much of the land ceded to the United States by the said treaty of the twenty-seventh of September, eighteen hundred and thirty, as is situated south of the dividing line between townships seven and eight, be attached to, and constitute a part of, the Augusta land district. Augusta district; addition thereto.

SEC. 5. *And be it further enacted*, That, for the disposal of the public lands in the northeastern and northwestern districts, a land office shall be established in each, at such convenient place as the President of the United States may designate; and, for each of said offices, a register and receiver shall be appointed by the President, by and with the advice and consent of the Senate, who shall severally give bond and security, according to law, before entering on the duties of their respective offices. They shall receive the same compensation, fees, and emoluments, and shall perform similar duties, and possess the same powers, with all other registers and receivers of public moneys of the United States, and shall, in all respects, be governed by the laws of the United States providing for the sale of public lands. (a) Land offices of northeastern and northwestern districts.

* * * * *

(a) See Nos. 731, 1266, 1272, 1275, 1279, 1298, 1305, 1310, 1315, 1328, 1349, 1363, 1373.

No. 1356.—AN ACT authorizing the removal of the office of surveyor-general of public lands south of Tennessee. March 2, 1833.
Vol. 4, p. 662.

Be it enacted, &c., That after the first day of April next, the office of the surveyor-general of public lands south of Tennessee, shall be kept at Jackson, the seat of government of the State of Mississippi. (a) Surveyor-general's office removed to Jackson.

* * * * *

(a) See Nos. 37, 777, 1266, 1269, 1272, 1298, 1305, 1343.

June 30, 1834.
Vol. 6, p. 579.

No. 1357.—AN ACT to amend an act entitled "An act for the relief of William Burris, of Mississippi," approved February nineteen, one thousand eight hundred and thirty-one.

Authorized to relinquish a title to a tract of land, &c.

Be it enacted, &c., That William Burris be authorized to relinquish to the United States his title to the east half of the northwest quarter of section twenty-one, township three, range six east, instead of the east half of the southwest quarter of section twenty-one, township three, range six east, as authorized by the act to which this is an amendment. (a)

(a) See No. 1341.

June 30, 1834.
Vol. 6, p. 596.

No. 1358.—AN ACT for the relief of Hishe Homa, otherwise called Captain Red Pepper, an Indian of the Choctaw tribe.

Entitled to 640 acres of land.

Be it enacted, &c., That Hishe Homa, otherwise called Captain Red Pepper, an Indian of the Choctaw tribe of Indians, be entitled, under and subject to the provisions and restrictions of the fourteenth article of the treaty made between the United States of America and the Choctaw Indians, at Dancing Rabbit Creek, on the fifteenth of September, eighteen hundred and thirty, to a reservation of a section of land containing six hundred and forty acres, to include his improvements at the time of making the treaty; and a half-section to be located adjoining thereto for his son, aged over ten years.

The same to be reserved from sale.

SEC. 2. *And be it further enacted,* That the register and receiver of the land office of the northeastern district be required to lay down on the maps the claim of the said Hishe Homa, and reserve the same from sale.

Feb. 13, 1835.
Vol. 6, p. 607.

No. 1359.—AN ACT for the relief of Silas D. Fisher.

Authorized to locate a section of land.

Be it enacted, &c., That Silas D. Fisher, alias Silas Fisher, be, and he is hereby, authorized to locate the reservation of one section of land granted to him by the second article of the supplement to the treaty of Dancing Rabbit Creek, made and entered into on the twenty-seventh day of September, in the year of our Lord one thousand eight hundred and thirty, between the United States of America and the Mingoes, chiefs, captains, and warriors of the Choctaw tribe of Indians, on any of the unimproved and unoccupied lands within the limits of that tract of country ceded by the said Indians to the United States by the treaty aforesaid, on such terms and conditions, and under such rules and regulations, as may be prescribed by the proper department of the Government in similar cases arising under said treaty. (a)

(a) See No. 1362.

March 3, 1835.
Vol. 6, p. 614.

No. 1360.—AN ACT for the relief of Richard T. Archer.

Authorized to purchase a tract of land.

Be it enacted, &c., That Richard T. Archer, of the State of Mississippi, be, and he is hereby, authorized to become the purchaser of the south half of section thirty-three of township twenty, of range two east, of lands in the northwestern district of lands in the late Choctaw purchase, in the State of Mississippi, at the price of one dollar and twenty-five cents per acre, the said half-section of land having been illegally reserved from the location of the said Archer, under an assignment of a grant from the trustees of Jefferson College, in the said State, at the public sale of lands at Chocheuma, in the month of October, in the year eighteen hundred and thirty-three.

May 9, 1836.
Vol. 5, p. 131.

No. 1361.—RESOLUTION to suspend the sale of a part of the public lands acquired by the treaty of Dancing Rabbit Creek.

Reservations of lands to be withheld from public sale until December 1, 1836.

Be it resolved, &c., That so much of the public lands, acquired by the treaty concluded with the Choctaw nation of Indians, at Dancing Rabbit Creek, on the twenty-eighth day of September, eighteen hundred and thirty, as has been conditionally, or otherwise located by the locating agent of the United States to persons claiming reservations under the fourteenth article of said treaty, be withheld from public sale until the first day of December next: *Provided,* That nothing herein contained, shall be taken or construed as indicating any intention on the part of Congress to confirm said claims. (a)

Proviso.

(a) See Nos. 36, 59, 433, 1266, 1267, 1273, 1274, 1275, 1276, 1277, 1279, 1281, 1282, 1292, 1293, 1298, 1301, 1305, 1315, 1323, 1327, 1336, 1382, 1391, 1408, 1414, 1416, 1417.

No. 1362.—AN ACT for the relief of Silas Fisher, a Choctaw Indian.

May 28, 1836.
Vol. 6, p. 633.

Be it enacted, &c., That the location of the reservation secured to Silas Fisher, by the second article of supplement to the treaty of Dancing Rabbit Creek, concluded with the Choctaw Indians, on the twenty-eighth day of September, eighteen hundred and thirty, and recognized by the act of Congress, of the thirteenth of February, eighteen hundred and thirty-five, which has been located on the north half of section fifteen, and the south half of section ten, township twenty-four, range eight west of the northwestern district of the State of Mississippi, be, and the same is hereby confirmed, and a patent may issue, as in other cases, agreeably to said treaty. (a)

Location of
reservation con-
firmed.

(a) See No. 1359.

No. 1363.—AN ACT to remove the land office from Clinton to Jackson, in the State of Mississippi.

June 23, 1836.
Vol. 5, p. 57.

Be it enacted, &c., That the land office at present established at Clinton in the State of Mississippi be hereafter kept at Jackson, in the same State. (a)

Land office re-
moved to Jack-
son.

(a) See Nos. 731, 1266, 1272, 1275, 1279, 1298, 1305, 1310, 1315, 1328, 1349, 1355, 1373, 1410.

No. 1364.—AN ACT to revive and extend the provisions of an act passed on the twenty-fourth May, eighteen hundred and twenty-four, entitled "An act for the relief of the representatives of John Donelson, Stephen Heard, and others."

June 23, 1836.
Vol. 6, p. 643.

Be it enacted, &c., That an act entitled "An act for the relief of the representatives of John Donelson, Stephen Heard, and others," be, and the same is hereby, revived and continued in force for the term of twelve months from and after the passage of this act; and that the said representatives, in addition to the States of Alabama and Mississippi, be, and they are hereby, authorized to enter said lands at any of the land offices in Louisiana or Arkansas. (a)

Act of March
24, 1824, extend-
ed.

(a) See Nos. 1321, 1325, 1347.

No. 1365.—AN ACT for the relief of the trustees of common schools in township eight, range eleven east, in the State of Mississippi.

July 2, 1836.
Vol. 6, p. 673.

Be it enacted, &c., That the trustees of common schools in township eight, range eleven east, in the State of Mississippi, be authorized to locate, for the use of schools in said township, one section of six hundred and forty acres of land, by sectional lines, of any of the public lands in the State of Mississippi, subject to entry at private sale. (a)

Authorized to
locate a tract of
land.

(a) See Nos. 1266, 1271, 1275, 1277, 1295, 1298, 1305, 1315, 1330, 1366, 1375, 1387, 1402, 1406, 1416.

No. 1366.—AN ACT to carry into effect, in the States of Alabama and Mississippi, the existing compacts with those States in regard to the five per cent. fund, and the school reservations.

July 4, 1836.
Vol. 5, p. 116.

Be it enacted, &c., That a sum equivalent to five per cent. of the nett proceeds of the lands within the State of Mississippi, ceded by the Chickasaws by the treaty of the twentieth of October, eighteen hundred and thirty-two, which have been or may hereafter be sold by Congress, shall be, and is hereby, reserved, out of any moneys in the Treasury not otherwise appropriated, to be applied in the same manner, and for the same uses and purposes, as is designated by the fifth section of the act of Congress of the first of March, eighteen hundred and seventeen. (a)

A sum equivalent to the five per cent., &c., reserved from sales of Chickasaw lands in Mississippi.

SEC. 2. *And be it further enacted*, That there shall be reserved from sale, in the State of Mississippi, a quantity of land, equal to one thirty-sixth part of the lands ceded by said Chickasaws as aforesaid, within said State of Mississippi, which land shall be selected under the direction of the Secretary of the Treasury, in sections, or half-sections, or quarter-sections, out of any public lands remaining unsold, that shall have been offered at public sale within either of the land districts in said State of Mississippi, contiguous to said lands within said State, so ceded by the Chickasaws as aforesaid; which lands, when so selected as aforesaid, the same shall vest in the State of Mississippi, for the use of schools within said territory in said State, so ceded as aforesaid by

Certain lands vested in the State of Mississippi for the use of schools.

the Chickasaws; and said lands, thus selected, shall be holden by the same tenure, and upon the same terms and conditions, in all respects, as the said State now holds the lands heretofore reserved for the use of schools in said State. (b)

(a) See Nos. 1015, 1266, 1303, 1314, 1340, 1374, 1382, 1398, 1415.

(b) See Nos. 1266, 1271, 1275, 1277, 1295, 1298, 1305, 1315, 1339, 1365, 1375, 1387, 1402, 1406, 1416.

Feb. 3, 1837.
Vol. 6, p. 685.

No. 1367.—AN ACT for the relief of Andrew Knox.

May purchase
a section of land
in Choctaw dis-
trict.

A section to be
reserved for pub-
lic schools.

Be it enacted, &c., That Andrew Knox, of Washington County, in the State of Mississippi, be, and he is hereby, authorized and permitted to purchase, upon the payment of the minimum price to the receiver of the proper land district, section sixteen, in township fourteen, range nine west, in the Choctaw district, in said State, the purchase of which section heretofore was prevented by the illegal numbering of the sections in said township.

SEC. 2. *And be it further enacted,* That it shall be the duty of the Secretary of the Treasury to cause to be selected and reserved for the use of schools within the said township, numbered fourteen, in lieu of the aforesaid section, a section [of] land in equal extent in said Choctaw land district.

March 3, 1837.
Vol. 5, p. 180.

No. 1368.—AN ACT for the appointment of commissioners to adjust the claims to reservations of land under the fourteenth article of the treaty of eighteen hundred and thirty with the Choctaw Indians.

Three commis-
sioners to be ap-
pointed by the
President, with
the advice and
consent of the
Senate; their du-
ties.

Be it enacted, &c., That there shall be appointed by the President, by and with the advice and consent of the Senate, three commissioners whose duty it shall be to meet in the State of Mississippi at such time and place, as the President shall appoint and designate, and there proceed to ascertain the name of every Choctaw Indian who was the head of an Indian family at the date of the treaty at Dancing Rabbit Creek, who has not already obtained a reservation under said treaty, and who can show by satisfactory evidence, that he or she complied or offered to comply with all the requisites of the fourteenth article of said treaty, to entitle him or her, to a reservation under said article; and also the number and names of all the unmarried children of such heads of families, who formed a part of the family and were over ten years of age, and likewise the number and names of the children of such heads of families as were under ten years of age, and report to the President, to be, by him, laid before Congress, all the names of such Indians, and the different sections of land to which such heads of families were respectively entitled, together with the opinions of the commissioners, and whether any part of said lands have been sold by the Government, and the proofs applicable to each case.

Commissioners
to take an oath,
&c.

SEC. 2. *And be it further enacted,* That before entering upon their duties, each of said commissioners shall, before some judge or justice of the peace, take an oath faithfully to discharge the duties imposed by this act.

Commissioners
to appoint a se-
cretary; his du-
ties.

SEC. 3. *And be it further enacted,* That said commissioners are hereby authorized to appoint a secretary whose duty it shall be to record correctly all the proceedings of said board, and faithfully preserve the same, as well as all depositions and other papers filed before said board, and who shall take an oath to discharge the duties imposed on him by this act.

District attor-
ney for Mississip-
pi to attend board
on request of
commissioners.

SEC. 4. *And be it further enacted,* That upon the request of the commissioners it shall be the duty of the district attorney of the State of Mississippi, to attend said board, and give his assistance in procuring the attendance of witnesses, and his aid and advice in their examination, the better to enable the commissioners to ascertain the facts correctly in each case.

Salaries of
commissioners
and secretary.

SEC. 5. *And be it further enacted,* That each of said commissioners shall receive, while in the discharge of the duties hereby imposed, a salary at the rate of three thousand dollars per annum, the secretary a salary at the rate of fifteen hundred dollars per annum, and the district attorney a salary at the rate of two thousand dollars per annum, to be paid quarterly out of any money in the Treasury not otherwise appropriated.

SEC. 6. *And be it further enacted*, That said commissioners shall have full power to summon and cause to come before them, such witnesses as they may deem necessary, and to have them examined on oath, and if any witness shall testify falsely, with an intention to mislead said commissioners, such witness shall be guilty of wilful and corrupt perjury, and shall, upon conviction before any jurisdiction having cognizance thereof, suffer the punishment by law inflicted on those guilty of that offence.

Commissioners authorized to summon witnesses, &c.

SEC. 7. *And be it further enacted*, That nothing contained in this act shall be so construed as to sanction what is called contingent locations which have been made by George M. Martin for the benefit of such Indians, as were supposed to have been entitled to other lands, which have been sold by the United States: such contingent locations having been made, without any legal authority. It being the true intent of this act to reserve to Congress the power of doing that which may appear just when a correct knowledge of all the facts is obtained.

Nothing in this act to be so construed as to sanction the contingent locations made by G. M. Martin.

SEC. 8. *And be it further enacted*, That this act shall be in force to the first day of March eighteen hundred and thirty-eight next, and no longer. (a)

Act limited to March 1, 1838.

(a) See Nos. 1371, 1372, 1380, 1389, 1392, 1395, 1405, 1407, 1409, 1411.

No. 1369.—AN ACT for the relief of Green Pryor and the heirs of Peter Pryor.

March 3, 1837.
Vol. 6, p. 693.

Be it enacted, &c., That the President of the United States cause to be issued to Green Pryor and the heirs of Peter Pryor, a patent for fractional section number two, of township fourteen, range five east, in the Washington land district, in the State of Mississippi, it being the same entered by Isham Arthur, on the sixteenth day of October, eighteen hundred and sixteen, and by him transferred to Green and Peter Pryor.

Land patent to be issued.

No. 1370.—AN ACT for the relief of the legal representatives of Isaac Williams, deceased.

March 3, 1837.
Vol. 6, p. 693.

Be it enacted, &c., That the legal representatives of Isaac Williams, deceased, of the county of Wilkinson, in the State of Mississippi, be, and they are hereby, authorized to re-enter, at any time within six months after the passage of this act, so much of fractional sections numbers thirty-nine and forty-one, in township number one, of range number one west, in the district of lands subject to sale at Washington, in said State, as remains unsold, and that the sums of money heretofore paid by Isaac Bush and Isaac Williams, or either of them, on said fractional sections, be passed to the credit of the said representatives, in part payment for the said fractional sections.

Authorized to re-enter certain land.

No. 1371.—AN ACT to amend an act entitled "An act for the appointment of commissioners to adjust the claims to reservations of land under the fourteenth article of the treaty of eighteen hundred and thirty with the Choctaw Indians."

Feb. 22, 1838.
Vol. 5, p. 211.

Be it enacted, &c., That the commissioners provided for in the act hereby amended, or a majority of them, shall have full power and authority to adjourn their sessions to such place or places, within the State of Mississippi, as in their judgment the interest of the Government and of the claimants may require such sessions to be held.

Commissioners may adjourn their sessions to such places in Mississippi as the interest of the Government and claimants may require.

SEC. 2. *And be it further enacted*, That in case of the death, resignation, or absence of any one of the said commissioners, the remaining two commissioners shall have full power and authority to proceed and execute the powers given by this act or the act hereby amended.

In case of the death, &c., of one of the commissioners, the others may act.

SEC. 3. *And be it further enacted*, That the said commissioners shall have all the powers of a court of record, for the purpose of compelling the attendance of witnesses, administering oaths, touching matters depending before them, preserving order, and punishing contempts; and shall have power to make all needful rules for the regulation of the proceedings before them, as well as to employ one or more interpreters, and one or more agents to collect testimony for the United States.

Commissioners to have power to compel the attendance of witnesses, &c.; also, to make rules for, &c., to employ interpreters, &c.

SEC. 4. *And be it further enacted*, That for defraying the contingent expenses of the said commission, the sum of five thousand dollars be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated.

Appropriation.

Act continued
till August 1,
next.

District attor-
ney to receive the
same compensa-
tion as a commis-
sioner.

Claims of In-
dians who have
removed west of
the Mississippi
not embraced.

Any claimant
attempting to
substitute the
child of any other
Indian for his
own, &c., shall be
stricken from the
list.

SEC. 5. *And be it further enacted*, That the said act shall be and re-
main in force until the first day of August next.

SEC. 6. *And be it further enacted, by the authority aforesaid*, That the
compensation to be made to the district attorney for his services, shall
be equal to the compensation allowed to a commissioner under the act
hereby amended.

SEC. 7. *And be it further enacted*, That nothing contained in this act,
or the act which this is intended to amend, shall be so construed as to
embrace the claim of any Indian or head of a Choctaw family, who has
removed west of the Mississippi River.

SEC. 8. *And be it further enacted*, That if it shall be proved to the
satisfaction of said commissioners, that any claimant has attempted,
or shall attempt to substitute the child of any other Indian as and for
his own, or has attempted or shall attempt, by his testimony, to substi-
tute for the child of any other claimant, the child of another Indian,
the name of such claimant so attempting to make such substitution,
shall be stricken from the list of claimants. (a)

(a) See Nos. 1368, 1372, 1380, 1389, 1392, 1395, 1405, 1407, 1409, 1411.

June 22, 1838.
Vol. 5, p. 251.

Land reserved
to any Choctaw
to be withheld
from sale.

No. 1372.—AN ACT to grant pre-emption rights to settlers on the public lands.

* * * * *

And provided further, That it shall be the duty of the President of the
United States to cause to be reserved from sale or entry, under the provis-
ions of this or any other law of the United States, any tract or tracts of
land reserved to any Choctaw, under the provisions of the treaty of Dano-
ing Rabbit Creek, of one thousand eight hundred and thirty, and also to
reserve from sale or entry, a sufficient quantity of the lands acquired by
said treaty, upon which no such settlement or improvement has been
made, as would entitle the settler or improver to a right of pre-emption
under this act, to satisfy the claims of such Indians as may have been
entitled to reservations under the said treaty, and whose lands may have
been sold by the United States, on account of any default, neglect, or
omission of duty on the part of any officer of the United States; such
reservation from sale to continue until the claims to reservations under
said treaty, shall be investigated by the board of commissioners appointed
for that purpose, and their report finally acted on by Congress. (a)

(a) See Nos. 1368, 1371, 1380, 1389, 1392, 1395, 1405, 1407, 1409, 1411.

July 4, 1840.
Vol. 5, p. 393.

The registers
and receivers to
remove the
books, &c., with-
in sixty days.

No. 1373.—AN ACT to remove the land office from Chocchuma to Grenada, in the
State of Mississippi.

Be it enacted, &c., That the land office at Chocchuma, in the county of
Tallahatchie, State of Mississippi, shall be removed to and located in
the town of Grenada, in Yalabusha County, in said State; and it shall
be the duty of the registers and the receivers of public money for
said land office, within sixty days from and after the passage of this act,
to remove the books, records, and whatever else belongs to said office, to
the place of location, as herein provided for. (a)

(a) See Nos. 731, 1266, 1272, 1275, 1279, 1298, 1305, 1310, 1315, 1328, 1349, 1355, 1363, 1410.

Sept. 4, 1841.
Vol. 5, p. 453.

The two per
cent. of the net
proceeds of lands
sold in Missis-
sippi since De-
cember 1, 1817,
&c., relinquished
to Mississippi.

No. 1374.—AN ACT to appropriate the proceeds of the sales of public lands, and to
grant pre-emption rights.

* * * * *

SEC. 16. *And be it further enacted*, That the two per cent. of the nett
proceeds of the lands sold, or that may hereafter be sold, by the United
States in the State of Mississippi, since the first day of December,
eighteen hundred and seventeen, and by the act entitled "An act to
enable the people of the western part of the Mississippi Territory to
form a constitution and State government, and for the admission of such
State into the Union on an equal footing with the original States," and
all acts supplemental thereto reserved for the making of a road or roads
leading to said State, be, and the same is hereby relinquished to the
State of Mississippi, payable in two equal instalments; the first to be
paid on the first of May, eighteen hundred and forty-two, and the other

on the first of May, eighteen hundred and forty-three, so far as the same may then have accrued, and quarterly, as the same may accrue, after said period: *Provided*, That the legislature of said State shall first pass an act, declaring their acceptance of said relinquishment in full of said fund, accrued and accruing, and also embracing a provision, to be unalterable without the consent of Congress, that the whole of said two per cent. fund shall be faithfully applied to the construction of a railroad, leading from Brandon, in the State of Mississippi, to the eastern boundary of said State, in the direction, as near as may be, of the towns of Selma, Cahaba, and Montgomery, in the State of Alabama. (a)

Proviso.

(a) See Nos. 1015, 1266, 1303, 1314, 1340, 1366, 1392, 1398, 1415.

No. 1375.—AN ACT to amend an act entitled "An act to carry into effect, in the States of Alabama and Mississippi, the existing compacts with those States with regard to the five per cent. fund and the school reservations."

June 13, 1842.
Vol. 5, p. 490.

Be it enacted, &c., That so much of the second section of the act entitled "An act to carry into effect, in the States of Alabama and Mississippi, the existing compacts with those States in regard to the five per cent. fund and the school reservations," as requires the land therein designated as reserved to the State of Mississippi for the use of schools to be selected, under the direction of the Secretary of the Treasury, "out of any public lands, remaining unsold, that shall have been offered at public sale within either of the land districts in said State of Mississippi, contiguous to said lands, within said State," ceded by the Chickasaws, be so amended that the said lands may be selected, under the direction of the governor of said State of Mississippi, out of any public lands remaining unsold within either of the land districts in said State of Mississippi, contiguous to the lands in said State, ceded by the Chickasaw Indians. (a)

The second section of the act amended.

(a) See Nos. 1266, 1271, 1275, 1277, 1295, 1298, 1305, 1315, 1339, 1365, 1366, 1387, 1402, 1406, 1416.

No. 1376.—AN ACT for the relief of George Mayfield.

July 27, 1842.
Vol. 6, p. 839.

Be it enacted, &c., That in lieu of the six hundred and forty acres of land intended to be granted to George Mayfield by an act of Congress approved thirtieth January, eighteen hundred and thirty-three, there be granted to said Mayfield six hundred and forty acres of any lands of the United States not otherwise appropriated or disposed of, to be selected and entered at the proper land office, by said Mayfield or his attorney, within one year from the passage of this act: *Provided*, That in making such selection, the said Mayfield shall be confined to lands the sale of which at the time thereof is authorized by law. (a)

Other land granted in lieu of that intended to be granted by act of January 30, 1833.
Proviso.

(a) See Nos. 1321, 1390, 1519.

No. 1377.—AN ACT authorizing a patent to be issued to Bartholomew Pellerin, his heirs or assigns.

Aug. 1, 1842.
Vol. 6, p. 847.

Be it enacted, &c., That the Commissioner of the General Land Office be, and he is hereby, authorized and required to issue a patent to Bartholomew Pellerin, or to his heirs and assigns, in right of widow Masmer or Asnard, for his claim to a tract of land situate at the bay of St. Louis, in the State of Mississippi, containing seventeen thousand and eighty-four superficial arpens, according to a survey of the same approved by Vincente Sebastien Pintado, on the thirtieth of January, eighteen hundred and ten, the same having been confirmed by the act of the third of March, eighteen hundred and nineteen: *Provided*, That the same shall only operate as a relinquishment of the right of the United States, and shall not affect the right of third persons.

Land patent to be issued.

Proviso.

No. 1378.—AN ACT to authorize Chapman Levy to purchase as a pre-emptor a certain quarter-section of land now occupied by him, at the minimum price per acre.

Aug. 11, 1842.
Vol. 6, p. 852.

Be it enacted, &c., That Chapman Levy be, and he is hereby, authorized at any time within six months from the date of this act, to purchase as a pre-emptor at the proper land office, at the price of one dollar and twenty-five cents per acre, the southeast quarter of section twenty-three of township fourteen range five east, in the district of lands subject to sale at Columbus in the State of Mississippi: *Provided*, Said lands shall not, before the date of this act, have been sold by the United States.

Authorized to make the purchase within six months.

Aug. 11, 1842.
Vol. 6, p. 856.

No. 1379.—AN ACT for the relief of Jubal B. Hancock.

Authorized to
enter land, in
lieu of, &c.

Be it enacted, &c., That Jubal B. Hancock be, and he is hereby, authorized, on or before the first day of January, one thousand eight hundred and forty-four, to enter at the proper land office, in legal subdivisions, fourteen hundred and forty acres of any of the public lands of the United States, within the State of Mississippi, in lieu of a like quantity of land to which he and his three children, William M. Hancock, Mary M. Hancock, and Caroline D. Hancock, became entitled under the fourteenth article of the treaty of Dancing Rabbit Creek, concluded with the Choctaw nation of Indians, on the twenty-seventh day of September, one thousand eight hundred and thirty, which was improperly located for them by George W. Martin, the locating agent of the United States, and of which they have been deprived by the decision of the Secretary of War.

Patents to be
issued.

SEC. 2. *And be it further enacted,* That it shall be the duty of the Commissioner of the General Land Office, on receiving certificates of said entry, to cause patents to be issued to Jubal B. Hancock, for six hundred and forty acres; to William M. Hancock, for three hundred and twenty acres; to Mary M. Hancock, for three hundred and twenty acres; and to Caroline D. Hancock, for one hundred and sixty acres: in conformity with the provisions of said treaty. (a)

(a) See No. 1397.

Aug. 23, 1842.
Vol. 5, p. 513.

No. 1380.—AN ACT to provide for the satisfaction of claims arising under the fourteenth and nineteenth articles of the treaty of Dancing Rabbit Creek, concluded in September, one thousand eight hundred and thirty.

Acts of March
3, 1837, and Feb.
22, 1838, so far as
not repealed or
modified by this
act, revived.

Be it enacted, &c., That the act approved on the third of March, eighteen hundred and thirty-seven, entitled "An act for the appointment of commissioners to adjust the claims to reservations of land under the fourteenth article of the treaty of eighteen hundred and thirty, with the Choctaw Indians: and also, the act approved on the twenty-second day of February, eighteen hundred and thirty-eight, entitled "An act to amend an act entitled 'An act for the appointment of commissioners to adjust the claims to reservations of land under the fourteenth article of the treaty of eighteen hundred and thirty, with the Choctaw Indians,' so far as the same are not repealed or modified by the provisions of this act," be, and the same are hereby, revived and continued in force until the powers conferred by this act shall be fully executed, subject, nevertheless, to repeal or modification by any act of Congress. And all the powers and duties of the commissioners are hereby extended to claims arising under the nineteenth article of the said treaty, and under the supplement to the said treaty, to be examined in the same manner and with the same effect as in cases arising under the fourteenth article of the said treaty: *Provided,* That the salary of said commissioners shall not exceed the rate of two thousand five hundred dollars per annum.

Powers, &c.,
of commission-
ers extended.

Proviso.

Commissioners
may issue sub-
poenas, &c.

Marshals, &c.,
may execute pro-
cess, &c.; their
fees.

Proviso.

Conditions, up-
on proof of the
performance of
which, any Choctaw
shall be en-
titled to a patent.

SEC. 2. *And be it further enacted,* That subpoenas for the attendance of witnesses before the said commissioners, and process to compel such attendance may be issued by the said commissioners, or any two of them, under their seals in the same manner and with the same effect as if issued by courts of record, and may be executed by the marshal of any district, or by any sheriff, deputy sheriff or other peace officer designated by the said commissioners, who shall receive for such services the same fees as are allowed in the district court of the United States for the district in which the same shall be rendered for similar services, to be paid, on the certificate of the commissioners, out of the contingent fund appropriated by the fourth section of the act secondly above recited, which was approved on the twenty-second day of February, one thousand eight hundred and thirty-eight, and which is revived by this act: *Provided,* That nothing herein contained shall be construed to revive such portion of the act approved the third day of March, one thousand eight hundred and thirty-seven, referred to in the first section of this act, as provides for the employment and pay of the district attorney of either of the districts of the State of Mississippi.

SEC. 3. *And be it further enacted,* That when the said commissioners shall have ascertained that any Choctaw has complied or offered to comply with all the requisites of the fourteenth article of the said treaty, to entitle him to any reservation under that article, which requisites are as follows, to wit: that said Choctaw Indian did signify his or her intention to the agent, in person, or by some person duly authorized

and especially directed, by said Indian, to signify the intention of said Indian to become a citizen of the State, within six months from the date of the ratification of the said treaty, and had his or her name, within the time of six months aforesaid, enrolled on the register of the Indian agent aforesaid, for that purpose; or shall prove, to the entire satisfaction of the said commissioners and to the Secretary of War, that he or she did signify his or her intention, within the term of six months from the date of the ratification of the treaty aforesaid, if his or her name was not enrolled in the register of the agent aforesaid, but was omitted by said agent; and, secondly, that said Indian did, at the date of making said treaty, to wit, on the twenty-seventh day of September, eighteen hundred and thirty, have and own an improvement in the then Choctaw country; and that, having and owning an improvement, at the place and time aforesaid, did reside upon that identical improvement, or a part of it, for the term of five years continuously, next after the ratification of said treaty, to wit, from the twenty-fourth of February, eighteen hundred and thirty-one, to the twenty-fourth of February, eighteen hundred and thirty-six, unless it shall be made to appear that such improvement was, before the twenty-fourth day of February, eighteen hundred and thirty-six, disposed of by the United States, and that the reservee was dispossessed by means of such disposition; and, thirdly, that it shall be made to appear, to the entire satisfaction of said commissioners, and to the Secretary of War, that said Indian did not receive any other grant of land under the provisions of any other article of said treaty; and, fourthly, that it shall be made to appear, in like manner, that said Indian did not remove to the Choctaw country west of the Mississippi River, but he or she had continued to reside within the limits of the country ceded by the Choctaw Indians to the United States, by said treaty of twenty-seventh September, in the year eighteen hundred and thirty, it shall be the duty of said commissioners, if all and each of the above requisites shall be made clearly to appear to their satisfaction, and the Secretary of War shall concur therein, to proceed to ascertain the quantity of land to which said Indian, by virtue of the fourteenth article of said treaty, is entitled to, which, when ascertained, shall be located for said Indian, according to sectional lines, so as to embrace the improvement, or a part of it, owned by said Indian at the date of said treaty; and it shall be the duty of the President of the United States to issue a patent to said Indian for said land, if he or she be living, and if not, to his or her heirs and legal representatives; and in like manner shall the commissioners aforesaid ascertain the quantity of land granted by said article to each child of said Indian, according to the limitations contained in said article, and locate said quantity, for said children, contiguous to and adjoining the improvement of the parent of such child or children; and the President shall issue a patent for each tract of land thus located, to said Indian child, if living, and if not, to the heirs and legal representatives of such Indian child. But if the United States shall have disposed of any tract of land, to which any Indian was entitled, under the provisions of said fourteenth article of said treaty, so that it is now impossible to give said Indian the quantity to which he was entitled, including his improvements, as aforesaid, or any part of it, or to his children, on the adjoining lands, the said commissioners shall thereupon estimate the quantity to which each Indian is entitled, and allow him or her, for the same, a quantity of land equal to that allowed, to be taken out of any of the public lands in the States of Mississippi, Louisiana, Alabama, and Arkansas, subject to entry at private sale; and certificates to that effect shall be delivered, under the direction of the Secretary of War, through such agent as he may select, not more than one-half of which shall be delivered to said Indian until after his removal to the Choctaw territory west of the Mississippi River. The said commissioners shall also ascertain the Choctaws, if any, who relinquished or offered to relinquish any reservations to which he was entitled under the nineteenth article of the said treaty, or whose reservations under that article had been sold by the United States; and shall also determine the quantity to which such claimant was entitled; and the quantity of land which should be allowed him on extinguishment of such claim, at the rate of two-fifths of an acre for every acre of the land to which said claimant was entitled, said land having been estimated under this article at fifty cents per acre: *Provided, nevertheless*, That no claim shall be considered or allowed by said commissioners, for or in the name or behalf of any Indian claimant whose name does

Quantity due to each child of said Indian to be ascertained in like manner, &c.

If United States have disposed of land to which any Indian was entitled, &c., the commissioners shall allow other land.

Certificates for the land, how to be given.

Commissioners shall ascertain the Choctaws who relinquished reservations under the 19th article, &c., and determine, &c.

Proviso.

not appear upon the lists or registers of claimants made by Major Armstrong, special agent for that purpose, in conjunction with the three chiefs of the three Choctaw districts, and returned to the Department of War in January, eighteen hundred and thirty-two, and who does not appear from those registers to be entitled to a reservation under said nineteenth article.

Commissioners to report their proceedings, &c., to the President, when. SEC. 4. *And be it further enacted*, That the said commissioners, within two years from the time of their entering upon the duties of their offices, and as often as shall be required by the President of the United States, shall report to him their proceedings in the premises, with a full and perfect list of names of all the Choctaws whom they shall have determined to be entitled to reservations under this act; the quantity of land to which each shall be so entitled, the number of claims which

Powers, &c., of the commissioners, when to cease.

can be located according to the provisions of the fourth section of this act, and such as cannot be located according to the provisions of the fourth section of this act; and the powers and duties of the said commissioners shall cease at the expiration of two years from the time of the first organization of the board; and their proceedings may be terminated by the President at any time previous to the expiration of the said two years.

Commissioners to determine claims under the supplement to the treaty.

SEC. 5. *And be it further enacted*, That the commissioners to be appointed under this act shall also ascertain and determine the quantity of land to which any Choctaw or other person named in the supplement to the said treaty of Dancing Rabbit Creek was entitled by virtue thereof, and which such person has by any means been prevented from receiving.

Upon approval by the President, &c., certificates shall be delivered to claimant, if a Choctaw.

SEC. 6. *And be it further enacted*, That if the President of the United States shall approve and confirm the determination of the commissioners heretofore appointed to investigate the claims existing under the fourteenth article of said treaty of Dancing Rabbit Creek, in any case, he shall cause to be delivered to the claimant, if he be a Choctaw Indian, his legal representatives or heirs, certificates, as provided by the fourth section of this act, for the quantity of land to which such claimant shall appear, by such determination, to have been entitled, in full satisfaction and discharge of such claim: *Provided*, Such determination was made by adhering, in every instance, to the requisites contained in the fourth section of this act: *And provided, also*, That said claims, nor either of them, cannot now be located, according to the provisions of the fourth section of this act.

Proviso.

Proviso.

Accounts to be kept of the certificates, &c., and amount retained from distribution to the States.

SEC. 7. *And be it further enacted*, That distinct accounts shall be kept of the certificates issued in satisfaction of the claims provided for by this act, and of all expenses attending the execution of the same; and the amount thereof shall be retained and withheld from any distribution to the States.

Claims of white men with Indian families. Patents to be issued, how.

SEC. 8. *And be it further enacted*, That nothing in this act contained shall be so construed as to authorize the said commissioners to adjudicate any claim which may be presented by a white man who may have had, or now has, an Indian wife or family; and any patent to land, which shall issue on any Indian claim, under the provisions of the treaty aforesaid, shall be issued to the Indian to whom the claim was allowed, if living, and if dead, to his or her heirs and legal representatives, any act of Congress, or usage, or custom, to the contrary notwithstanding.

No claim to be allowed, if assigned previous to the expiration of the five years from its ratification.

SEC. 9. *And be it further enacted*, That no claim shall be allowed, under the fourteenth article of said treaty, if the said commissioners shall be satisfied, by such proof as they may prescribe, that said claim had been, previous to the expiration of five years from the ratification of said treaty, assigned, either in whole or in part; and in case of a partial assignment, or agreement for an assignment thereof, the same shall be allowed so far only as the original Indian claimant was, at that date, the bona-fide proprietor thereof.

Claims not presented within one year, forever barred.

SEC. 10. *And be it further enacted*, That all claims under either of the articles of said treaty mentioned above, or the supplemental articles thereof, which shall not be duly presented to said commissioners for allowance within one year after the final passage of this act, shall be thereafter for ever barred. (a)

(a) See Nos. 1368, 1371, 1372, 1389, 1392, 1395, 1405, 1407, 1409, 1411.

No. 1381.—AN ACT to amend an act entitled "An act for the relief of George Mayfield," approved July twenty-seven, one thousand eight hundred and forty-two.

Feb. 24, 1843.
Vol. 6, p. 885.

Be it enacted, &c., That the time within which George Mayfield is required to select and enter six hundred and forty acres of land, granted to him by the provisions of an act of the twenty-seventh of July, one thousand eight hundred and forty-two, be, and the same is hereby, extended one year; and the said Mayfield shall be permitted to enter said land in one entire section, or in quarter-sections, subject to private entry and not in the occupancy of any actual settler, as he in his discretion may determine. (a)

Allowed further time to enter land.

(a) See Nos. 1376, 1390, 1519.

No. 1382.—AN ACT in relation to the two per cent. fund of the State of Mississippi.

March 1, 1843.
Vol. 5, p. 603.

Be it enacted, &c., That the assent of Congress is hereby given to the appropriation, by the State of Mississippi, to the completion of the railroad from Brandon to Jackson, of the sum of twenty-five thousand dollars, as a part of the two per cent. fund heretofore relinquished by Congress to said State; (a) and that the governor of said State be, and he is hereby, authorized, with the said two per cent. fund now in the Treasury of the United States, to enter any public lands in said State, subject to private entry, and in the name and on behalf of said State, to be held subject to the same trusts and purposes of said fund. (b)

Assent of Congress to the appropriation of part of the two per cent. fund to Brandon and Jackson Railroad. Governor of Mississippi authorized to enter land with the two per cent. fund.

(a) See Nos. 1015, 1266, 1303, 1314, 1340, 1366, 1374, 1398, 1415.

(b) See Nos. 36, 59, 433, 1266, 1267, 1273, 1274, 1275, 1276, 1277, 1279, 1281, 1288, 1292, 1293, 1298, 1301, 1305, 1315, 1323, 1327, 1336, 1361, 1391, 1408, 1414, 1416, 1417.

No. 1383.—AN ACT to authorize the investigation of alleged frauds under the pre-emption laws, and for other purposes.

March 3, 1843.
Vol. 5, p. 619.

Be it enacted, &c., That the Commissioner of the General Land Office be, and he hereby is, authorized to appoint a competent agent, whose duty it shall be, under direction of said Commissioner, to investigate, upon oath, the cases of fraud under the pre-emption laws, alleged to exist in the Columbus land district, in the State of Mississippi, referred to in the late annual report of said Commissioner, communicated to Congress by letter of the Secretary of the Treasury, dated December the fifteenth, one thousand eight hundred and forty-two; and that such agent shall examine all witnesses who may be brought before him by the individual or individuals alleging the fraud, as well as those witnesses who may be produced by the parties in interest, to sustain said claims; and that he be, and is hereby, invested with power to administer to such witnesses an oath to speak the truth in regard to any question which may be deemed necessary to the full examination of the cases so alleged to be fraudulent; and such testimony shall be reduced to writing, and subscribed by each witness, and the same returned to the Commissioner, with the opinion of said agent on each claim; and any witness, so examined before the said agent, who shall swear wilfully and falsely in regard to any matter or thing touching such examination, shall be subject, on conviction, to all the pains and penalties of perjury; and it shall be the duty of the Commissioner, to decide the cases thus returned, and finally to settle the matter in controversy, subject alone to an appeal to the Secretary of the Treasury: *Provided*, That the power conferred by this section upon such agent is hereby limited to the term of one year from and after the date of this act; and the compensation to be paid to said agent shall not exceed three dollars per day for each day he may be necessarily engaged in the performance of the duties required by this section.

An agent to be appointed to investigate cases of alleged fraud in Columbus land district.

Mode of investigation.

Proviso.

No. 1384.—AN ACT for the relief of John Mullings.

March 26, 1844.
Vol. 6, p. 908.

Be it enacted, &c., That the title to the southeast quarter of section twenty, the whole of section twenty-one, and the northwest quarter of section twenty-eight, in township seventeen north, range fifteen east, of the Columbus land district, of Mississippi, heretofore located to satisfy the claim of Alabatcha, the wife of John Mullings, be, and the same

Land title confirmed.

is hereby confirmed to the said John Mullings, to have and to hold the same right and interest in the same as he would have held had he been returned in Ward's register: and that the President is hereby directed to cause to be issued a patent to the said John Mullings for the above-described lands, as in other cases.

June 15, 1844.
Vol. 6, p. 917.

No. 1385.—AN ACT for the relief of Woodson Wren, of Mississippi.

Certain tracts
of land confirmed
to them.

Be it enacted &c., That Woodson Wren, of the State of Mississippi be, and he is hereby, confirmed in the following-described tracts and parcels of land, to wit: Fractional section twenty-five, in township seven, range nine west, including the site of the old French fort, and containing about one hundred and twenty-three acres; also, a portion of fractional section number twenty-four, in township seven, range nine west, being lot number six, containing eighty acres, situated on the east side of the Bay of Biloxi, in the county of Jackson, Mississippi, claimed by virtue of a deed from Littlepage Robertson, and reported for confirmation by the register and receiver of the land office at Jackson Courthouse, Mississippi, dated July twelve, eighteen hundred and twenty three.

Patent to be
issued.

SEC. 2. *And be it further enacted*, That the Commissioner of the General Land Office, upon the passage of this act shall issue a patent for the same: which patent shall operate only as a relinquishment on the part of the United States of all right and title to said land.

W. Wren al-
lowed to enter
land.

SEC. 3. *And be it further enacted*, That said Woodson Wren shall be allowed to enter a quantity of land, which, together with the foregoing-described tracts, by this act confirmed to him, will make a number of acres equal to eight hundred arpens, being the amount confirmed to him by act of Congress, entitled "An act for the relief of Woodson Wren," approved eighteen hundred and thirty [-one], out of any unappropriated lands in the State of Mississippi subject to private entry: conforming, in such entry, to the divisions and subdivisions established by law. (a)

(a) See Nos. 1320, 1345.

June 17, 1844.
Vol. 5, p. 676.

No. 1386.—AN ACT to provide for the adjustment of land claims within the States of Missouri, Arkansas, and Louisiana, and in those parts of the States of Mississippi and Alabama south of the thirty-first degree of north latitude, and between the Mississippi and Perdido rivers.

[See MISSOURI, No. 1067.]

Feb. 26, 1845.
Vol. 5, p. 727.

No. 1387.—AN ACT to amend an act entitled "An act to carry into effect, in the States of Alabama and Mississippi, the existing compacts with those States with regard to the five per cent. fund and the school reservations."

[Governor of Alabama authorized to select lands within any of the land districts of Alabama or Mississippi for school purposes, in lieu of lands in the Chickasaw purchase. See ALABAMA, No. 1586.]

March 3, 1845.
Vol. 5, p. 740.

No. 1388.—AN ACT to confirm the survey and location of claims for lands in the State of Mississippi, east of the Pearl River, and south of thirty-first degree of north latitude.

Certain sur-
veys confirmed
as actually made.

Be it enacted, &c., That all surveys and plats of confirmed claims and settlement rights for lands situate in the State of Mississippi, east of Pearl River, and south of thirty-first degree of north latitude, which had been made and returned to the surveyor-general's office south of Tennessee on or before the first day of January, one thousand eight hundred and thirty-nine, shall be, and are hereby, confirmed, as actually surveyed on the ground; and the said surveyor-general is hereby authorized and directed, on the request of any party interested in any such claim, to certify the return and plat of such actual survey, so remaining in his office, to the register and receiver for lands in the Augusta district, in said State, who are hereby directed to receive and regard said surveys, plats, and location of the claims they represent, as correctly made; and the said register and receiver shall thereupon issue, in the name of the confirmer of the claim a patent certificate for each

Surveyor-gen-
eral to certify
the return and
plat of survey to
the register and
receiver for the
Augusta district.
Register and
receiver to give a
certificate, &c.

claim; which certificate, being first duly recorded in the said register's office, shall be delivered to such person as is entitled to represent the claim, and which, being presented to the General Land Office at Washington, shall entitle the party interested to a patent therefor:

Provided, That any claimant to a tract of land so surveyed and platted as aforesaid, who shall, within one year from the passage of this act, file, in writing, with the surveyor-general south of Tennessee, his exception to the regularity of the survey so heretofore made, setting forth in what respect said survey is erroneous, the surveyor-general shall examine such exception, and, if found to be well taken, shall order a resurvey of the claim, and after proper notice to the party interested; and, after proper notice, he may order a resurvey of any other claims which, in his opinion, may be indispensably necessary, by reason of errors or defects in the survey, on the ground, which, being returned and approved, shall be certified to the register and receiver at Augusta, on which a patent certificate shall be issued, as before directed: *Provided, also*, That all actual surveys of claims in said district, which shall not be excepted to within the year aforesaid, or which the surveyor-general may not find it indispensably necessary to have resurveyed by reason of any errors or defects, as aforesaid, shall, after that time, be deemed unexceptionable, so far as relates to the title of the United States, and shall thenceforth be proceeded in and perfected to patent.

Proviso.

Further proviso.

SEC. 2. *And be it further enacted*, That all resurveys which may be ordered by virtue of this act shall be executed under the direction of the surveyor south of Tennessee, subject to orders from the General Land Office; and all services which shall be rendered in execution of this act shall be audited, charged, and paid for, as similar services were required to be by former laws and regulations in reference to similar claims.

Resurveys to be executed under direction of surveyor south of Tennessee.

Expenses of survey.

SEC. 3. *And be it further enacted*, That when, in any case it shall appear to the surveyor-general that the survey of any claim hereby confirmed is deficient in the quantity of land confirmed to the claimant, by a number of acres equal to forty or more, then the said surveyor-general shall issue to the claimant a warrant, entitling him to a quantity of land, which in the subdivision of the public lands of the United States, shall not exceed in quantity the number of acres found deficient in the claimant's original survey; which entry may be made on any lands subject to entry in said district.

Surveyor to issue a warrant for deficiencies in a resurvey.

SEC. 4. *And be it further enacted*, That this act shall not be construed as aiding the title survey or location of any claim, to the prejudice of any other claim with which its pretensions and location may conflict; but all such conflicting rights and locations shall remain subject to existing laws: *Provided, however*, That, in any such case of conflict, in addition to the powers conferred on the surveyor-general by this act, it shall be lawful for him, when the conflicting claimants may compromise, by the relinquishment of one of the claimants of his entire location, or so much of it as conflicts with the location of another claim, to grant a warrant to the relinquishing claimant, which shall entitle him to enter an equal quantity with the land relinquished of any land subject to entry in the district of the land surrendered.

Conflicting claims to be decided under existing laws.

Proviso.

SEC. 5. *And be it further enacted*, That all confirmation and evidence of title which shall be made or issued in the name of the original claimant or conferee, by virtue of this act, shall inure to the use and benefit of those who may be jointly or severally entitled to the lands in the several claims referred to, either by descent or purchase, as if such persons were specially named therein. (a)

Confirmation or evidence of title issued in name of original claimants, to inure to the benefit of persons entitled.

(a) See Nos. 718, 723, 731, 737, 745, 753, 1067, 1265, 1266, 1268, 1270, 1271, 1275, 1276, 1284, 1286, 1287, 1292, 1294, 1296, 1299, 1300, 1310, 1318, 1322, 1324, 1333, 1334, 1336, 1386, 1399.

NO. 1389.—AN ACT making appropriations for the current and contingent expenses of the Indian Department, and for fulfilling treaty stipulations with the various Indian tribes, for the fiscal year commencing on the first day of July, eighteen hundred and forty-five, and ending on the thirtieth day of June, eighteen hundred and forty-six.

March 3, 1845.
Vol. 5, p. 777.

For payment to the Bank of Michigan, or its assigns, for moneys advanced under authority of the Secretary of War, and Secretary of the Treasury, in fulfilment of a treaty with the Chippewas of Saginaw, of January one thousand eight hundred and thirty-seven, together with in-

Payment to bank of Michigan for moneys advanced.

Proviso.

terest on the principal sum due said bank from the first day of February one thousand eight hundred and forty, at six per cent. per annum, twelve thousand five hundred dollars, or so much thereof as may be necessary: *Provided*, That of the scrip which has been awarded, or which shall be awarded, to Choctaw Indians under the provisions of the law of twenty-third August, one thousand eight hundred and forty-two, that portion thereof, not deliverable east, by the third section of said law, in these words "not more than one-half of which shall be delivered to said Indian until after his removal to the Choctaw territory, west of the Mississippi River," shall not be issued or delivered in the West, but the amounts awarded for land on which they resided, but which it is impossible for the United States now to give them, shall carry an interest of five per cent., which the United States will pay annually to the reservees under the treaty of one thousand eight hundred and thirty, respectively, or to their heirs and legal representatives, forever, estimating the land to which they may be entitled, at one dollar and twenty-five cents per acre: *Provided, further*, That so much of the law of twenty-third August, one thousand eight hundred and forty-two, as is inconsistent herewith, is hereby repealed. (a)

Repeal.

(a) See Nos. 1368, 1371, 1372, 1380, 1392, 1395, 1405, 1407, 1409, 1411.

May 22, 1846.
Vol. 9, p. 650.

A patent to issue to George Mayfield for land in the Grenada land district.

No. 1390.—AN ACT to amend an act approved February twenty-fourth, eighteen hundred and forty-three, entitled "An act to amend an act entitled 'An act for the relief of George Mayfield,' approved July twenty-seventh, eighteen hundred and forty-two."

Be it enacted, &c., That a patent shall issue to George Mayfield for the west half and southeast quarter of section seventeen, township twenty-six, range five west, and the southwest quarter of section eight, township twenty-six, range five west, in the district of lands subject to sale at Grenada, Mississippi, any thing in the act of which this is amendatory to the contrary notwithstanding. (a)

(a) See Nos. 1376, 1381, 1519.

July 15, 1846.
Vol. 9, p. 37.

Patents to issue for such sales of land at Chocchuma and Columbus, Mississippi, as may be found to be within the Chickasaw cession of 1834.

Appropriation.

Proviso.

No. 1391.—AN ACT to legalize certain land sales made at Chocchuma and Columbus, in the State of Mississippi, and to indemnify the Chickasaws therefor.

Be it enacted, &c., That it may and shall be lawful for patents to be issued, as in ordinary cases, for such of the sales of land made in the land offices at Chocchuma and Columbus, in the State of Mississippi, as may be found, by the definitively established line of the Chickasaw cession of one thousand eight hundred and thirty-four, to be, in whole or part, within that cession, and the said sales are hereby confirmed and legalized; and for the purpose of indemnifying the Chickasaw tribe of Indians for said sales, there is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, a sum of money equal to all which has been received upon said sales, to the fund created by the treaty with said Chickasaw tribe, and of right to them belonging: *Provided, nevertheless*, That this act shall not extend to any sale where the purchase money may have been refunded to the purchaser. (a)

(a) See Nos. 38, 59, 433, 1266, 1267, 1273, 1274, 1275, 1276, 1277, 1279, 1281, 1288, 1292, 1293, 1298, 1301, 1305, 1315, 1323, 1327, 1336, 1361, 1382, 1408, 1414, 1416, 1417.

Aug. 3, 1846.
Vol. 9, p. 114.

Secretary of War authorized to decide certain Choctaw claims, and to award land or scrip therefor.

No. 1392.—JOINT RESOLUTION to authorize the Secretary of War to adjudicate the claims of the Su-quah-natch-ah, and other clans of Choctaw Indians, whose cases were left undetermined by the commissioners for the want of the township maps.

Resolved, &c., That the Secretary of War, for the purpose of consuming the claims of the Su-quah-natch-ah and other clans of Choctaw Indians, in whose cases the testimony was taken by the commissioners appointed by virtue of the act approved the twenty-third of August, eighteen hundred and forty-two, and returned to the War Department, but judgment was not entered up for the want of the maps whereby the location of the lands of the claimants and the allotment of land or scrip, respectively, to each, could alone be determined, be, and he is hereby, authorized to decide the same, and award land or scrip in each case, as the testimony already taken may justify. (a)

(a) See Nos. 1368, 1371, 1372, 1380, 1392, 1395, 1405, 1407, 1409, 1411.

No. 1393.—AN ACT for the relief of Jose Carxillo.Aug. 8, 1846.
Vol. 9, p. 663.

Be it enacted, &c., That the Commissioner of the General Land Office be, and he is hereby, authorized and required to issue to Jose Carxillo, of the county of Hapcock and State of Mississippi, a patent to the northwest quarter of section twenty-six, of township nine, range sixteen west, in the Augusta land district of Mississippi. (a)

Patent for certain land in Augusta, Mississippi, land district, to be issued to Jose Carxillo.

(a) See No. 1413.

No. 1394.—AN ACT declaring the assent of Congress to certain States to impose a tax upon all lands hereafter sold by the United States therein, from and after the day of such sale.Jan. 26, 1847.
Vol. 9, p. 118.

[States admitted into the Union prior to April 24, 1820, may tax public lands after the day of sale. See OHIO, No. 169.]

No. 1395.—AN ACT making appropriations for the current and contingent expenses of the Indian Department, and for fulfilling treaty stipulations with the various Indian tribes, for the year ending June thirtieth, eighteen hundred and forty-eight.March 1, 1847.
Vol. 9, p. 145.SEC. 2. *And be it further enacted,* * * *

For interest on the amounts awarded Choctaw claimants, under the fourteenth article of the treaty of Dancing Rabbit Creek, of the twenty-seventh September, eighteen hundred and thirty, for lands on which they resided, but which it is now impossible to give them, and in lieu of the scrip that has been awarded under the act of twenty-third August, eighteen hundred and forty-two, not deliverable east, by the third section of the said law, per act of third of March, eighteen hundred and forty-five, for the year eighteen hundred and forty-seven, forty-three thousand six hundred dollars. (a)

Choctaw claimants.

(a) See Nos. 1368, 1371, 1372, 1380, 1389, 1392, 1405, 1407, 1409, 1411.

No. 1396.—AN ACT for the relief of Isaac Guess.March 3, 1847.
Vol. 9, p. 696.

Be it enacted, &c., That the Commissioner of the General Land Office be, and he is hereby, authorized and required to issue to Isaac Guess, of Mississippi, a patent to the west half of the northwest quarter of section thirty-five, township fifteen north, of range five east, and for the east half of the northeast quarter of section three, township fourteen north, of range five east, in the State of Mississippi, within the Columbus land district; the same being the land entered and paid for by said Guess as a pre-emption.

Patent to be issued to Isaac Guess for his entry as a pre-emption of certain land in the Columbus district, Mississippi.

No. 1397.—AN ACT for the relief of Hyacinth Lasselle.March 3, 1847.
Vol. 9, p. 706.

SEC. 2. *And be it further enacted,* That the act entitled "An act for the relief of Jubal B. Hancock" be so amended that the time allowed for the location of the land therein specified be extended to thirtieth day of December, eighteen hundred and forty-seven. (a)

Act for relief of Jubal B. Hancock amended.

(a) See No. 1379.

No. 1398.—AN ACT to amend the act entitled "An act to appropriate the proceeds of the sales of the public lands, and to grant preemption rights," &c., approved September fourth, eighteen hundred and forty-one.June 16, 1848.
Vol. 9, p. 237.

Be it enacted, &c., That the sixteenth section of said act be so amended as to give the consent of Congress, and the same is hereby given, to the application of the two per cent. fund heretofore relinquished by said act to the State of Mississippi, to be faithfully applied to the construction of a railroad leading from Brandon, in the State of Mississippi, to the eastern boundary of said State, in such manner as to authorize the construction of a railroad, commencing at Jackson, in said State, and extending to the eastern boundary of said State of Mississippi, via Brandon, in the direction, as near as may be, of the towns of Selma, Cahawba, and Montgomery, in the State of Alabama. (a)

Assent of Congress given to the application of the two per cent. fund granted to the State of Mississippi to the construction of a railroad from Jackson to the eastern boundary of said State.

(a) See Nos. 1015, 1266, 1303, 1314, 1340, 1366, 1374, 1382, 1415.

Aug. 5, 1848.
Vol. 9, p. 273.

No. 1399.—AN ACT supplemental to an act to confirm the survey and location of claims for lands in the State of Mississippi, east of the Pearl River, and south of the thirty-first degree of north latitude, approved March three, eighteen hundred and forty-five.

Certain land claims in the State of Mississippi confirmed according to actual surveys hereafter to be made.

Surveys to be made and returns certified to the register and receiver for the Augusta land district.

Proviso: when survey cannot be made.

Warrants issued by the surveyor-general south of Tennessee under the act to which this is a supplement, may be located upon any lands subject to private entry in the State of Mississippi.

Be it enacted, &c., That all confirmed claims and settlement rights for lands situate in the State of Mississippi, east of the Pearl River and south of thirty-first degree of north latitude, which had not been actually surveyed on the ground, and for which no plats of actual survey had been returned to the surveyor-general's office south of Tennessee, on or before the first day of January, one thousand eight hundred and thirty-nine, shall be, and are hereby, confirmed, according to actual surveys hereafter to be made as herein provided for, in the same manner that said claims actually surveyed on the ground, and returned to the surveyor-general's office at the time aforesaid, are confirmed by the act to which this is a supplement; and the surveyor-general is hereby authorized and directed, on request of any party interested, to cause the survey of said claims, without delay, and at any time between the passage of this act and the first day of January, eighteen hundred and fifty, to be made and returned to his office, and he shall certify the return and plats of such actual surveys, so made, to his office, to the register and receiver for lands in the Augusta district for said State. And the surveyor-general, and the said register and receiver, shall regard these claims and plats of actual survey, in all respects, upon the same footing with the claims confirmed as actually surveyed upon the ground, by said act to which this is a supplement, and subject to, and entitled to, the benefits of all the provisions of said act: *Provided*, That if it shall appear to the surveyor-general, from the plats of actual survey already returned to his office, that any of said claims cannot now be actually surveyed on the ground, owing to their conflict with other claims already confirmed as actually surveyed on the ground, by the act to which this is a supplement, then it shall be lawful for him to grant to the claimant, so deprived of his location, a warrant, as provided by the fourth section of said act, without causing the survey to be made.

SEC. 2. *And be it further enacted*, That all warrants which have been heretofore issued, or which shall hereafter be issued, by the surveyor-general south of Tennessee, under the provisions of the original act to which this is a supplement, and under the provisions of this act, be, and they are hereby, authorized to be located upon any lands subject to sale at private entry in the State of Mississippi, in any of the land districts in said State, in the same manner that said warrants are now authorized to be located in the Augusta land district. (a)

(a) See Nos. 718, 723, 731, 737, 745, 753, 1067, 1265, 1266, 1268, 1270, 1271, 1275, 1276, 1284, 1286, 1287, 1292, 1294, 1296, 1299, 1300, 1310, 1318, 1322, 1324, 1333, 1334, 1336, 1366, 1388.

Aug. 11, 1848.
Vol. 9, p. 735.

No. 1400.—AN ACT for the relief of Joseph Perry, a Choctaw Indian, or his assignees.

Joseph Perry authorized to locate one section of land, in lieu of a section of which he was deprived by the Chickasaw treaty.

Be it enacted, &c., That in lieu of section thirty-five, of township twenty-five, range six east, to which Joseph Perry, a Choctaw Indian, was entitled, and of which he was deprived by operation of the Chickasaw treaty of eighteen hundred and thirty-four, and the action of the Government of the United States, the said Joseph Perry or his assignees shall be entitled to locate one section of land, in quantities not less than one quarter-section by the legal subdivisions, upon any of the public lands not otherwise appropriated, subject to private entry.

Feb. 22, 1849.
Vol. 9, p. 791.

No. 1401.—JOINT RESOLUTION for the relief of John B. Nevitt, of Adams County, Mississippi.

Commissioner of General Land Office to cause a survey to be made of certain lands in Adams County.

Resolved, &c., That it shall be the duty of the Commissioner of the General Land Office, within six months after the passage of this joint resolution, to cause an accurate survey to be made of certain unsurveyed lands lying in township seven and eight, of range three west, in Adams County, Mississippi, and more particularly known as a triangular slip lying between the lands granted to Joseph Bernard, and surveyed for his representatives, in the year eighteen hundred and six, on the north, and the lands, marked on the maps of the surveyor-general's office, south of Tennessee, as Balser Shillings, and now occupied and owned by John

B. Nevitt on the south; and when so surveyed, it shall be the duty of the Commissioner, as aforesaid, to notify the said John B. Nevitt of the number of acres ascertained to be vacant, and if the said Nevitt, or, in case of his death, his legal representatives, shall, within six months next succeeding such notice, offer to pay to the receiver of the land office of the district within which said lands lie, one dollar and twenty-five cents per acre for the same, it shall be the duty of the receiver aforesaid to accept such offer, and, on payment being made, to give a receipt therefor, as in other cases of land entries, and on the presentation of said receipt to the Commissioner of the General Land Office, he shall cause a patent to issue, as in all other cases of lands paid for.

And when surveyed, to notify John B. Nevitt of the number of acres vacant, and allow him or his legal representatives to enter the same at the minimum price.

No. 1402.—AN ACT granting a half-section of land for the use of schools within fractional township nineteen south, of range eighteen west, county of Lowndes, State of Mississippi.

March 2, 1849.
Vol. 9, p. 768.

Be it enacted, &c., That the school commissioners, or other authority, having official cognizance over school lands within fractional township nineteen south, of range eighteen west, State of Mississippi, be, and they are hereby, authorized to select by legal subdivisions, from any of the public lands within the said State not otherwise appropriated, a quantity of land not exceeding one half-section, for the use and support of schools within the said fractional township.

School commissioners within fractional township 19 south, of range 18 west, to select one half-section of land.

SEC. 2. *And be it further enacted*, That when the lands hereby authorized to be selected shall have been approved by the Secretary of the Treasury, they shall be held by the inhabitants of the township herein designated by the same tenure, and upon the same terms, for the support of schools in the said township, as if they had been selected under the provisions of the general school law of the twentieth of May, one thousand eight hundred and twenty-six: *Provided, nevertheless*, That the said commissioners, or other authority mentioned in the first section of this act, shall not be authorized, by any thing herein contained, to select lands out of the land district in which said fractional township is situated, if there be land within said district applicable to school purposes under the provisions of the act of May twentieth, eighteen hundred and twenty-six. (a)

How lands so selected shall be held.

Proviso.

(a) See Nos. 1266, 1271, 1275, 1277, 1295, 1298, 1305, 1315, 1339, 1365, 1366, 1375, 1387, 1406, 1416.

No. 1403.—AN ACT to grant the right of way to the Mobile and Ohio Railroad Company.

March 3, 1849.
Vol. 9, p. 772.

[See ALABAMA, No. 1594.]

No. 1404.—AN ACT granting the right of way, and making a grant of land to the States of Illinois, Mississippi, and Alabama, in aid of the construction of a railroad from Chicago to Mobile.

Sept. 20, 1850.
Vol. 9, p. 555.

[See ILLINOIS, No. 432.]

No. 1405.—AN ACT making appropriations for the current and contingent expenses of the Indian Department, and for fulfilling treaty stipulations with various Indian tribes, for the year ending June the thirtieth, one thousand eight hundred and fifty-one.

Sept. 30, 1850.
Vol. 9, p. 544.

* * * * *

To the Choctaws.—For interest on the amounts awarded Choctaw claimants, under the fourteenth article of the treaty of Dancing Rabbit Creek, of September twenty-seventh, eighteen hundred and thirty, for lands on which they resided, but which it is now impossible to give them, and in lieu of the scrip that has been awarded under the act of August twenty-fourth, eighteen hundred and forty-two, and joint resolution of Congress of August third, eighteen hundred and forty-six, not deliverable east by the third section of said law, per act of March third, eighteen hundred and forty-five, eighty-seven thousand two hundred dollars. (a)

Choctaws.
Interest on awards for lands.

* * * * *

(a) See Nos. 1368, 1371, 1372, 1380, 1389, 1392, 1395, 1407, 1409, 1411.

May 19, 1852.
Vol. 10, p. 6.

No. 1406.—AN ACT to authorize the legislature of the State of Mississippi to sell the lands heretofore appropriated for the use of schools in that State, and to ratify and approve the sales already made.

Sale or leasing
of school lands
in Mississippi au-
thorized.

Be it enacted, &c., That the legislature of the State of Mississippi shall be, and is hereby authorized to sell and convey in fee-simple, or lease, for a term of years, as the said legislature may deem best, all or any part of the lands heretofore reserved and appropriated by Congress for the use of schools within said State, and to invest the money arising from said sales, as said legislature may direct, for the use and support of schools within the several townships and districts of country for which they were originally reserved and set apart, and for no other use, or purpose whatsoever: *Provided*, Said lands or any part thereof, shall, in no case be sold or leased without the consent of the inhabitants of such township or district to be obtained in such manner as the legislature of said State may by law direct: *And provided further*, That in all cases, the money arising from the sales of lands within a particular township and district, shall be appropriated to the use of schools within that township and district.

Proviso.

Proviso.

Former sales
ratified.

SEC. 2. *And be it further enacted*, That sales heretofore made by the authority of the legislature of the State of Mississippi of lands reserved and appropriated as aforesaid, are hereby ratified and approved in the same manner and to the same extent, as if this act had been in force at the time of said sales. (a)

(a) See Nos. 1266, 1271, 1275, 1277, 1295, 1298, 1305, 1315, 1339, 1365, 1366, 1375, 1387, 1402, 1416.

July 21, 1852.
Vol. 10, p. 19.

No. 1407.—AN ACT to supply deficiencies in the appropriations for the service of the fiscal year ending the thirtieth of June, one thousand eight hundred and fifty-two.

* * * * *

Choctaw claim-
ants under treaty
of Dancing Rab-
bit Creek.

For interest on the amounts awarded Choctaw claimants, under the fourteenth article of the treaty of Dancing Rabbit Creek, of twenty-seventh of September, eighteen hundred and thirty, for lands on which they resided, but which it is impossible to give them, and in lieu of the scrip that has been awarded under the act of twenty-third of August, eighteen hundred and forty-two, not deliverable east, by the third section of said law, per act of third March, eighteen hundred and forty-five, for the half-year ending thirtieth of June, eighteen hundred and fifty-two, twenty-one thousand eight hundred dollars: *Provided*, That after the thirtieth day of June, eighteen hundred and fifty-two, all payments of interest on said awards shall cease, and that the Secretary of the Interior be, and he is hereby directed to pay said claimants the amount of principal awarded in each case respectively, and that the amount necessary for this purpose be, and the same is hereby appropriated, not exceeding eight hundred and seventy-two thousand dollars: *Provided, further*, That the final payment and satisfaction of said awards shall be first ratified and approved as a final release of all claims of such parties under the fourteenth article of said treaty, by the proper national authority of the Choctaws, in such form as shall be prescribed by the Secretary of the Interior. (a)

Proviso as to
interest.

Proviso.

* * * * *

(a) See Nos. 1368, 1371, 1372, 1380, 1389, 1392, 1395, 1405, 1409, 1411.

Aug. 2, 1852.
Vol. 10, p. 27.

No. 1408.—AN ACT to protect actual settlers upon the land on the line of the Central Railroad and branches, by granting preëmption rights thereto.

[See ILLINOIS, No. 433].

Aug. 30, 1852.
Vol. 10, p. 42.

No. 1409.—AN ACT making appropriation for the current and contingent expenses of the Indian Department, and for fulfilling treaty stipulations with various Indian tribes, for the year ending June thirtieth, one thousand eight hundred and fifty-three.

* * * * *

Appropriation
for interest.

For interest on the amounts awarded Choctaw claimants under the fourteenth article of the treaty of Dancing Rabbit Creek of the twenty-seventh of September, eighteen hundred and thirty, from the first of July, eighteen hundred and fifty-two to the date of the passage of the act entitled "An act to supply deficiencies in the appropriations for the

service of the fiscal year ending the thirtieth of June, eighteen hundred and fifty-two," a sum not exceeding two thousand dollars: *Provided*, That the Secretary of the Interior be, and he hereby is, authorized to examine the reservation claims of the Choctaws, known as Bay Indians, and of those Choctaws in whose cases the scrip awarded by the late board of commissioners has not been issued; and where he shall find that such Indians are clearly entitled to land under the fourteenth article of the treaty of eighteen hundred and thirty, and under the several acts heretofore passed in relation to such claims, he is hereby authorized to extend to such claimants the provisions applicable to such claims in the acts of twenty-third August, eighteen hundred and forty-two, and of third March, eighteen hundred and forty-five. (a)

Claims of certain Choctaws to be examined.

(a) See Nos. 1368, 1371, 1372, 1380, 1389, 1392, 1395, 1405, 1407, 1411.

No. 1410.—AN ACT making appropriations for the civil and diplomatic expenses of Government for the year ending the thirtieth of June, eighteen hundred and fifty-four.

March 3, 1853.
Vol. 10, p. 189.

SEC. 19. *And be it further enacted*, That whenever the land office at Pontotoc, Mississippi, shall be discontinued, the records and files thereof shall be placed in the possession of the clerk of the United States district court for the northern district of Mississippi, who is hereby made keeper of the same, and authorized to perform all the duties now conferred upon the register and receiver, and shall receive for his services therefor a sum not exceeding five hundred dollars per annum. (a)

Land office at Pontotoc, Mississippi.

(a) See Nos. 731, 1266, 1272, 1275, 1279, 1298, 1305, 1310, 1315, 1328, 1349, 1355, 1363, 1373.

No. 1411.—AN ACT making appropriations for the current and contingent expenses of the Indian Department, and for fulfilling treaty stipulations with various Indian tribes, for the year ending June thirty, one thousand eight hundred and fifty-four.

March 3, 1853.
Vol. 10, p. 297.

That the authority of the Secretary of the Interior to examine the claims of Choctaws to reservations of land under the treaty of eighteen hundred and thirty shall extend to all cases recommended by either of the boards of commissioners appointed to examine said claims, and his awards in scrip shall be received by them in full satisfaction of all their claims against the Government arising under said treaty, and the scrip thus awarded shall be received as other warrants in payment for any public lands subject to sale at private entry. (a)

Examination of Choctaw claims.

Scrip receivable for public lands.

(a) See Nos. 1368, 1371, 1372, 1380, 1389, 1392, 1395, 1405, 1407, 1409.

No. 1412.—AN ACT to confirm the claim of Dusuan de la Croix to a lot of land therein described.

July 24, 1854.
Vol. 10; p. 788.

Whereas in the supplemental report of the register and receiver at Jackson Courthouse, dated twenty-ninth of December, eighteen hundred and twenty, communicated to the Senate twenty-third of February, eighteen hundred and twenty-one, it is stated that claim number four, in said report, was "inadvertently omitted in the general report" made on the eleventh of July, eighteen hundred and twenty, and presented to the Senate the seventeenth of November, same year; and whereas, it is considered by the Commissioner of the General Land Office that, by reason of said omission, the said claim is not entitled to the confirmation contained in the act of eighth of May, eighteen hundred and twenty-two, confirming the general report of eighteen hundred and twenty:

Preamble.

Be it enacted, &c., That claim number four, in the supplemental report hereinbefore referred to, be, and the same is hereby, confirmed to Dusuan de la Croix, his legal representatives and assigns, according to the Spanish survey referred to in said claim, as fully, in like manner, and to same effect, as if said claim had been confirmed to said Dusuan de la Croix, his legal representatives, and assigns, by the act of eighteen hundred and twenty-two aforesaid: *Provided*, That this grant and confirmation shall amount only to a relinquishment, on the part of the United States, of all its right and title to the lot of land hereby granted and confirmed.

Land claim confirmed to Dusuan de la Croix.

Aug. 4, 1854.
Vol. 10, p. 821.

No. 1413.—AN ACT for the relief of Rosalie Caxillo.

Rosalie Caxillo authorized to surrender a lot of land and take another.

Be it enacted, &c., That, upon the relinquishment by Rosalie Caxillo and her children (being the widow and heirs of Jose Caxillo, late of Mississippi) of their right, title, and interest, in and to a certain quarter-section of land granted by Congress to the said Jose Caxillo, for his relief and indemnity, it shall be the duty of the proper officers of the Government to issue to the said Rosalie a warrant for one quarter-section of land, to be located on any land belonging to the Government, subject to private entry, in the Augusta land district of Mississippi. (a)

(a) See No. 1393.

Aug. 11, 1856.
Vol. 11, p. 30.

No. 1414.—AN ACT granting public lands in alternate sections to the State of Mississippi to aid in the construction of railroads in said State, and for other purposes.

Grant of land to Mississippi for railroads.

Grant in lieu of sections sold or pre-empted.

Application of said lands.

Act not to apply (except as to right of way) to reserved lands.

Price of alternate sections doubled.

Disposal of said lands.
Railroads to be a public highway for government.

Disposal of said lands.

Be it enacted, &c., That there be, and is hereby, granted to the State of Mississippi, for the purpose of aiding in the construction of railroads from Jackson to the line between the State of Mississippi and the State of Alabama; from Tuscaloosa to the Mobile Railroad within Mississippi; and from Brandon to the Gulf of Mexico, every alternate section of land designated by even numbers; for six sections in width on each side of each of said roads. But in case it shall appear that the United States have, when the lines or routes of said roads are definitely fixed, sold any sections or any parts thereof granted as aforesaid, or that the right of preëmption has attached to the same, then it shall be lawful for any agent or agents, to be appointed by the governor of said State, to select, subject to the approval of the Secretary of the Interior, from the lands of the United States nearest to the tiers of sections above specified, so much land in alternate sections or parts of sections as shall be equal to such lands as the United States shall have sold or otherwise appropriated, or to which the right of preëmption has attached as aforesaid; which lands (thus selected in lieu of those sold, and to which pre-emption rights have attached as aforesaid, together with the sections and parts of sections designated by even numbers as aforesaid, and appropriated as aforesaid) shall be held by the said State for the use and purpose aforesaid: *Provided*, That the lands to be so located shall in no case be further than fifteen miles from the lines of said roads, and selected for, and on account of each of said roads: *Provided further*, That the lands hereby granted shall be exclusively applied in the construction of that road for and on account of which said lands are hereby granted, and shall be disposed of only as the work progresses, and the same shall be applied to no other purpose whatsoever: *And provided further*, That any and all lands heretofore reserved to the United States by any act of Congress, or in any other manner, by competent authority, for the purpose of aiding in any object of internal improvement, or for any other purpose whatsoever, be and the same are hereby reserved to the United States from the operation of this act, except so far as it may be found necessary to locate the routes of said railroads through such reserved lands, in which case, the right of way only shall be granted, subject to the approval of the President of the United States. (a)

SEC. 2. *And be it further enacted*, That the sections and parts of sections of land which, by such grant, shall remain to the United States, within six miles on each side of said roads, shall not be sold for less than double the minimum price of the public lands when sold; nor shall any of the said lands become subject to private entry until the same have been first offered at public sale at the increased price. (b)

SEC. 3. *And be it further enacted*, That the said lands hereby granted to the said State, shall be subject to the disposal of the legislature thereof, for the purpose aforesaid and no other; and the said railroads shall be and remain public highways for the use of the Government of the United States, free from toll or other charge upon the transportation of any property or troops of the United States.

SEC. 4. *And be it further enacted*, That the lands hereby granted to the said State shall be disposed of by said State only in manner following, that is to say: That a quantity of land not exceeding one hundred and twenty sections for each of said roads, and included within a continuous length of twenty miles of each of said roads, may be sold; and when the governor of said State shall certify to the Secretary of the Interior that any continuous twenty miles of either of said roads is completed,

then another like quantity of land hereby granted, not exceeding one hundred and twenty sections for such road may be sold; and so from time to time until said roads are completed; and if said roads are not completed within ten years no further sales shall be made, and the lands unsold shall revert to the United States.

SEC. 5. *And be it further enacted*, That the United States mail shall be transported over said railroads, under the direction of the Post-Office Department, at such price as Congress may, by law, direct: *Provided*, That until such price is fixed by law, the Postmaster-General shall have the power to determine the same. Transportation of mails.

SEC. 6. *And be it further enacted*, That a like grant to the same extent, and on the same terms and conditions in all respects, is hereby made to aid in constructing a railroad from the city of Mobile to New Orleans, such grant to be made to the several States through which said road shall pass, so far as said road is within their respective limits. (a) Similar grant for a railroad from Mobile to New Orleans.

(a) See Nos. 432, 1403, 1404, 1418.

(b) See Nos. 3^d, 59, 433, 1266, 1267, 1273, 1274, 1275, 1276, 1277, 1279, 1281, 1288, 1292, 1293, 1298, 1301, 1305, 1315, 1323, 1327, 1336, 1361, 1382, 1391, 1408, 1416, 1417.

NO. 1415.—AN ACT to settle certain accounts between the United States and the State of Mississippi and other States.

March 3, 1857.
Vol. 11, p. 200.

Be it enacted, &c., That the Commissioner of the General Land Office be and he is hereby required to state an account between the United States and the State of Mississippi, for the purpose of ascertaining what sum or sums of money are due to said State, heretofore unsettled, on account of the public lands in said State, and upon the same principles of allowance and settlement as prescribed in the "Act to settle certain accounts between the United States and the State of Alabama," approved the second March, eighteen hundred and fifty-five; and that he be required to include in said account the several reservations under the various treaties with the Chickasaw and Choctaw Indians within the limits of Mississippi, and allow and pay to the said State five per centum thereon, as in case of other sales, estimating the lands at the value of one dollar and twenty-five cents per acre. (a) Settlement of accounts with Mississippi for lands.

SEC. 2. *And be it further enacted*, That the said Commissioner shall also state an account between the United States and each of the other States upon the same principles, and shall allow and pay to each State such amount as shall thus be found due, estimating all lands and permanent reservations at one dollar and twenty-five cents per acre. And with other States.

(a) See Nos. 1015, 1266, 1303, 1314, 1340, 1366, 1374, 1382, 1398.

NO. 1416.—AN ACT for the relief of certain actual settlers and cultivators who purchased lands subject to graduation, within the limits of the Choctaw cession of eighteen hundred and thirty, at a less rate than the true graduated price, under the "Act to graduate and reduce the price of the public lands to actual settlers and cultivators," approved the fourth of August, eighteen hundred and fifty-four, and for other purposes.

March 3, 1857.
Vol. 11, p. 248.

Be it enacted &c., That any person or persons who may have entered, in good faith, lands subject to graduation within the limits of the Choctaw cession of eighteen hundred and thirty, before the correct graduation lists had been received at the local land offices, at a less rate than the true graduation price, and who settled upon and improved the lands entered, or who entered the same for the benefit of an adjoining farm, and who continue to occupy the same, shall be entitled (provided the entries are regular in all respects) to receive patents for the lands so entered, settled upon, and occupied, without any additional payment being required of them, upon their making the proof required by the circulars from the General Land Office, dated the twenty-third of January and the seventh of April, eighteen hundred and fifty-six, any law to the contrary notwithstanding: *Provided*, That no proof shall be required which is not necessary to carry into effect the provisions of this act. Relief of bona-fide settlers on the Choctaw cession.

SEC. 2. *And be it further enacted*, That the act of May nineteen, one thousand eight hundred and fifty-two, entitled "An act to authorize the legislature of the State of Mississippi to sell the lands heretofore appropriated for the use of schools in that State, and to ratify and approve the sales already made," be so construed as to apply to lands heretofore reserved for school purposes in the State of Mississippi. (a) Act of 1852, respecting school lands in Mississippi, to apply to those heretofore reserved.

(a) See Nos. 38, 59, 433, 1266, 1267, 1273, 1274, 1275, 1276, 1277, 1279, 1281, 1288, 1292, 1293, 1298, 1301, 1305, 1315, 1323, 1327, 1336, 1361, 1382, 1391, 1408, 1414, 1417.

June 11, 1858. **No. 1417.**—AN ACT for the relief of certain purchasers of lands within the limits of the Choctaw cession of eighteen hundred and thirty.
Vol. 11, p. 314.

Commissioner of General Land Office to cause patents to be issued in certain cases. *Be it enacted, &c.,* That the Commissioner of the General Land Office be authorized, and he is hereby required, to cause patents to be issued on all certificates for entries made within the limits of the Choctaw cession of eighteen hundred and thirty, at less than the true graduation price, which were issued prior to the reception, by the local land officers, of the true graduation lists, where such certificates and entries are regular in all other respects; any law to the contrary notwithstanding. (a)

(a) See Nos. 36, 59, 433, 1266, 1267, 1273, 1274, 1275, 1276, 1277, 1279, 1281, 1288, 1292, 1293, 1298, 1301, 1305, 1315, 1323, 1327, 1336, 1361, 1382, 1391, 1408, 1414, 1416.

Feb. 18, 1859.
Vol. 11, p. 364.

No. 1418.—AN ACT for the relief of the Mobile and Ohio Railroad Company.
[See ALABAMA, No. 1616.]

May 9, 1860.
Vol. 12, p. 840.

No. 1419.—AN ACT to authorize the issuance of patents in the name of James S. Douglass, upon certain land entries made at Chockchuma, Mississippi.

Patents for land in Mississippi to issue to James S. Douglass. *Be it enacted, &c.,* That the Commissioner of the General Land Office be, and he is hereby, authorized to cancel the patents heretofore issued to James S. Coleman upon land entries number three thousand one hundred and forty-eight, three thousand one hundred and forty-nine, three thousand one hundred and fifty, three thousand one hundred and fifty-one, three thousand one hundred and fifty-two, and three thousand one hundred and fifty-three, made on the thirty-first March, eighteen hundred and thirty-five, in the former Chockchuma district, Mississippi; and that said Commissioner be, and he is hereby, authorized and directed to issue patents for the lands embraced by said entries to James S. Douglass, senior, in whose name said entries ought to have been carried upon the records, by the land officers at Chockchuma.

A L A B A M A.

- No. 1420.**—AN ACT for an amicable settlement of limits with the State of Georgia, and authorizing the establishment of a government in the Mississippi Territory. April 7, 1798.
Vol. 1, p. 549.
[See MISSISSIPPI, No. 1264.]
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- No. 1421.**—AN ACT supplemental to the act intituled "An act for an amicable settlement of limits with the State of Georgia; and authorizing the establishment of a government in the Mississippi Territory." May 10, 1800.
Vol. 2, p. 69.
[See MISSISSIPPI, No. 1265.]
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- No. 1422.**—AN ACT regulating the grants of land, and providing for the disposal of the lands of the United States, south of the State of Tennessee. March 3, 1803.
Vol. 2, p. 220.
[See MISSISSIPPI, No. 1266.]
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- No. 1423.**—AN ACT supplementary to the act intituled "An act regulating the grants of land, and providing for the disposal of the lands of the United States, south of the State of Tennessee." March 27, 1804.
Vol. 2, p. 303.
[See MISSISSIPPI, No. 1268.]
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- No. 1424.**—AN ACT further to amend an act, intituled "An act regulating the grants of land; and providing for the disposal of the lands of the United States, south of the State of Tennessee." March 2, 1805.
Vol. 2, p. 323.
[See MISSISSIPPI, No. 1270.]
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- No. 1425.**—AN ACT supplemental to an act, intituled "An act regulating the grants of land, and providing for the disposal of the lands of the United States, south of the State of Tennessee." Jan. 19, 1808.
Vol. 2, p. 453.
[See MISSISSIPPI, No. 1274.]
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- No. 1426.**—AN ACT for the disposal of certain tracts of land in the Mississippi Territory, claimed under Spanish grants, reported by the land commissioners as antedated, and to confirm the claims of Abraham Ellis and Daniel Harregal. Feb. 28, 1809.
Vol. 2, p. 526.
[See MISSISSIPPI, No. 1276.]
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- No. 1427.**—A PROCLAMATION by the President of the United States of America respecting taking possession of part of Louisiana. Oct. 27, 1810.
Vol. 11, p. 761.
[See LOUISIANA, No. 707.]
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- No. 1428.**—AN ACT providing for the removal of the land office established at Nashville, in the State of Tennessee, and Canton in the State of Ohio; and to authorize the register and receiver of public monies to superintend the public sales of land in the district east of Pearl River. Feb. 25, 1811.
Vol. 2, p. 649.
- [Land office at Nashville to be removed to some place in the Mississippi Territory. Sales of public lands in the district east of Pearl River; by whom to be conducted. See Mississippi, No. 1279.]

- Dec. 12, 1811. **No. 1429.**—AN ACT allowing further time for completing the payments on certain lands held by right of pre-emption, in the Mississippi Territory.
Vol. 2, p. 668.
[See MISSISSIPPI, No. 1281.]
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- April 25, 1812. **No. 1430.**—AN ACT for ascertaining the titles and claims to lands in that part of the Louisiana which lies east of the river Mississippi and island of New Orleans.
Vol. 2, p. 713.
[See LOUISIANA, No. 718.]
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- May 14, 1812. **No. 1431.**—AN ACT to enlarge the boundaries of the Mississippi Territory.
Vol. 2, p. 734.
[Territory east of Pearl River, west of the Perdido, and south of the 31st degree of latitude annexed to Mississippi Territory. See MISSISSIPPI, No. 1285.]
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- June 30, 1812. **No. 1432.**—AN ACT confirming claims to lands in the Mississippi Territory, founded on warrants of survey granted by the British or Spanish Government.
Vol. 2, p. 765.
[See MISSISSIPPI, No. 1286.]
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- July 5, 1812. **No. 1433.**—AN ACT confirming grants to lands in the Mississippi Territory derived from the British Government of West Florida, not subsequently regranted by the government of Spain or of the United States.
Vol. 2, p. 776.
[See MISSISSIPPI, No. 1287.]
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- Feb. 12, 1813. **No. 1434.**—AN ACT authorizing the President of the United States to take possession of a tract of country lying south of the Mississippi Territory and west of the river Perdido.
Vol. 3, p. 472.
[See MISSISSIPPI, No. 1290.]
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- March 31, 1814. **No. 1435.**—AN ACT providing for the indemnification of certain claimants of public lands in the Mississippi Territory.
Vol. 3, p. 116.
[See MISSISSIPPI, No. 1292.]
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- April 18, 1814. **No. 1436.**—AN ACT extending relief to certain purchasers of public lands in the Mississippi Territory.
Vol. 3, p. 130.
[See MISSISSIPPI, No. 1293.]
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- April 18, 1814. **No. 1437.**—AN ACT supplemental to an act, entitled "An act for ascertaining the titles and claims to lands in that part of Louisiana which lies east of the river Mississippi and island of New Orleans."
Vol. 3, p. 137.
[See LOUISIANA, No. 723.]
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- Jan. 23, 1815. **No. 1438.**—AN ACT supplementary to the act, entitled "An act providing for the indemnification of certain claimants of public lands in the Mississippi Territory."
Vol. 3, p. 192.
[See MISSISSIPPI, No. 1296.]
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- March 3, 1815. **No. 1439.**—AN ACT further supplementary to an act, entitled "An act providing for the indemnification of certain claimants of public lands in the Mississippi Territory."
Vol. 3, p. 235.
[See MISSISSIPPI, No. 1299.]
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- April 20, 1816. **No. 1440.**—AN ACT further supplementary to the act, entitled "An act providing for the indemnification of certain claimants of public lands in the Mississippi Territory."
Vol. 3, p. 294.
[See MISSISSIPPI, No. 1300.]

No. 1441.—AN ACT for the relief of certain purchasers of public lands in the Mississippi Territory.

April 24, 1816.
Vol. 3, p. 300.

[See MISSISSIPPI, No. 1301.]

No. 1442.—AN ACT for the relief of Thomas H. Boyle.

April 27, 1816.
Vol. 3, p. 169.

Be it enacted, &c., That Thomas H. Boyle, or his legal representatives, be authorized to enter with the register of the land office, without payment, twelve hundred and eighty acres of land, including his settlement in the Mississippi Territory, and on return being made to the Commissioner of the General Land Office, a patent shall issue as in other cases.

Allowed to enter a tract of land without payment.

No. 1443.—AN ACT to establish a separate Territorial government for the eastern part of the Mississippi Territory.

March 3, 1817.
Vol. 3, p. 371.

Be it enacted, &c., That all that part of the Mississippi Territory which lies within the following boundaries, to wit: beginning at the point where the line of the thirty-first degree of north latitude intersects the Perdido River, thence east to the western boundary line of the State of Georgia, thence along said line to the southern boundary line to the State of Tennessee, thence west along said boundary line to the Tennessee River, thence up the same to the mouth of Bear Creek, thence by a direct line to the northwest corner of Washington County, thence due south to the Gulf of Mexico, thence eastwardly, including all the islands within six leagues of the shore, to the Perdido River, and thence up the same to the beginning, shall, for the purpose of a temporary government, constitute a separate Territory, and be called "Alabama."

That part of the Mississippi Territory described, to form a Territory to be called Alabama.

SEC. 5. *And be it further enacted,* That this act shall commence and be in force, so soon as the convention, the appointment whereof has been authorized by Congress at their present session, shall have formed a constitution and State government, for that part of the Mississippi Territory lying west of the Territory herein described; of which act of convention the governor of the Mississippi, for the time being, shall give immediate notice to the President of the United States, who shall thereupon forthwith proceed to the execution of the powers vested in him by the second section of this act; but in case said convention shall fail to form a constitution and State government, as aforesaid, then this act shall become null and void, except so far as relates to the third section thereof, which shall take effect, and be in force, from and after the passage of this act.

Time at which this act shall commence and be in force, &c.

SEC. 6. *And be it further enacted,* That all persons who shall be in office, within the Territory hereby established, when the said convention shall have formed a constitution and State government, as aforesaid, shall continue to hold and exercise their offices, in all respects as if this act had never been made; and the governor and secretary of the Mississippi Territory, for the time being, shall continue to exercise the duties of their respective offices, in relation to the Territory hereby established, until a governor and secretary shall be appointed therefor, in pursuance to this act.

Persons in office to continue, &c.

SEC. 7. *And be it further enacted,* That all judicial process in the said Territory of Alabama, shall be issued, and bear test, as heretofore; nor shall any suit be discontinued, or the proceedings of any cause stayed, or in any wise affected by any thing contained in this act, or in the act, entitled "An act to enable the people of the western part of the Mississippi Territory to form a constitution and State government, and for the admission of such State into the Union on an equal footing with the original States."

Judicial process as heretofore, &c.

SEC. 8. *And be it further enacted,* That the town of St. Stephens shall be the seat of government for the said Alabama Territory, until it shall be otherwise ordered by the legislature thereof.

St. Stephens the seat of government

SEC. 9. *And be it further enacted,* That whatever balance may remain in the treasury of the Mississippi Territory, at the time when the convention authorized to form a constitution and State government, for the western part of said Territory, may have formed a constitution and State government for the same, shall be divided between the new State and Territory, according to the amount which may have been paid into said treasury, from the counties lying within the limits of such State and Territory respectively. (a)

Balance in the treasury to be divided between the new State, and Territory.

(a) See Nos. 707, 1264, 1265, 1285, 1420, 1421, 1427, 1431, 1452, 1453, 1499.

March 3, 1817. No. 1444.—AN ACT to set apart and dispose of certain public lands, for the encouragement of the cultivation of the vine and olive.
Vol. 3, p. 374.

Four contiguous townships, each six miles square, in the Mississippi Territory, to be set apart and reserved, &c. *Be it enacted, &c.*, That it shall be the duty of the Secretary of the Treasury, under the direction of the President of the United States, to designate, and set apart, any four contiguous townships, each six miles square, of vacant public lands lying in that part of the Mississippi Territory which was formed into a land district, by the act, entitled "An act for the ascertaining and surveying of the boundary lines fixed by the treaty with the Creek Indians, and for other purposes," passed on the third day of March, one thousand eight hundred and fifteen; and the four townships, so designated and set apart, shall be reserved from public and private sale, anything in the aforesaid act to the contrary notwithstanding.

The Secretary of the Treasury to contract for the sale of the townships at \$2 per acre, &c. SEC. 2. *And be it further enacted*, That the Secretary of the Treasury be, and he is hereby, authorized to contract for the sale of the said four townships, which shall have been designated and set apart, as aforesaid, at the rate of two dollars per acre, to be made payable fourteen years after the contract shall have been concluded with any agent, or agents, of the late emigrants from France, who have associated together

Proviso: as to the agents of French emigrants being duly authorized to form a contract, &c. for the purpose of forming a settlement in the United States: *Provided*, That satisfactory evidence shall be produced that such agent, or agents, are duly authorized to form such contract, and that the number of such emigrants, being of full age, for which he or they are authorized to act, are equal at least to the number of half-sections contained in the four townships proposed to be disposed of.

The Secretary empowered to make allotment of the lands among individuals, and to stipulate for the cultivation of the vine, &c. SEC. 3. *And be it further enacted*, That the said Secretary shall have power to make such allotment of the lands among the individuals, and to stipulate, in the proposed contract, for such conditions of settlement and cultivation of the vine, and other vegetable productions, as may to him appear reasonable; and that on the fulfilment of such conditions shall the issuing of grants for the lands, be made to depend: *Provided*, That no patent shall be granted for any of the lands aforesaid, nor shall any title be obtained therefor, either at law or equity, until complete payment shall have been made for the whole four townships, and until they comply with the conditions of the contract, so to be made as aforesaid; nor shall a patent be granted for a greater quantity than six hundred and forty acres to any one person. (a)

Proviso: no patent or title until complete payment for the whole, &c. (a) See Nos. 1458, 1497, 1521, 1543.

March 3, 1817. No. 1445.—AN ACT making provision for the location of the lands reserved by the first article of the treaty of the ninth of August, one thousand eight hundred and fourteen, between the United States and the Creek nation, to certain chiefs and warriors of that nation, and for other purposes.
Vol. 3, p. 380.

Chiefs and warriors of the Creek nation authorized to locate their reservations of land. *Be it enacted, &c.*, That the chiefs and warriors of the Creek nation, who, by virtue of the first article of the treaty of the ninth of August, one thousand eight hundred and fourteen, between the United States and that nation of Indians, are entitled to a reservation of land, which shall include their improvements, shall be authorized to locate said reservation in the following manner, viz:

Manner of location. Every such chief, or warrior, shall and may select such four quarter-sections, or such number of quarter-sections and fractional parts of sections, not exceeding six hundred and forty acres of land, as have been or may be surveyed, in pursuance of the act of Congress, passed the third day of March, one thousand eight hundred and fifteen, and as shall include their respective improvements. And in case such chief, or warrior, shall have resided at one place, and cultivated a farm or plantation at another place, he may, at his option, select such quarter-sections, and fractional parts of sections, as shall include his said separate improvements:—*Provided, however*, That the lands so selected, shall enure to such chief or warrior so long only as he shall continue to occupy and cultivate the same; and, in case he shall not have abandoned the possession, shall, on his decease, descend to and vest in his heirs in fee-simple, reserving to the widow of such chief or warrior the use and occupation of one-third part of said lands, during her natural life.

Proviso as to the title vested. SEC. 2. *And be it further enacted*, That when any chief or warrior, so entitled to a reservation of land at the time of the signing of the treaty, shall have since died, and left a widow and child or children, who has or have continued to occupy and cultivate the said land, they shall have the right of selection in the same manner as the original claimant, &c.

would have, if he were living; and the title of the lands, so selected, shall be a fee-simple title in the child or children, reserving to the widow, if any, the use and occupation of one third of the land during her life: *Provided, however,* That the said child or children shall not have the power to alienate the said lands except by devise, until each and every one of them shall have arrived at the age of twenty-five years.

Proviso as to the power of alienation in the children.

SEC. 3. *And be it further enacted,* That the descendant of any native Creek Indian, male or female, who, at the commencement of the late war with the hostile Creeks, occupied and cultivated a farm or plantation: who continued friendly to the United States during that war; and who, after the termination of hostilities, returned to, and has continued to occupy and cultivate, the said farm or plantation, shall be entitled to a reservation of two quarter-sections of land, to be selected in the manner stated in the first section of this act; which lands shall enure to them so long as they shall continue to occupy and cultivate the same; and on their death, shall descend, in fee, to their children; and on failure of children, shall revert to the United States; reserving, however, to the husband or widow, as the case may be, the right to occupy and cultivate one-third part of the lands during their natural lives.

Descendants of native Creeks who continue friendly, &c., entitled to a reservation, &c.

SEC. 4. *And be it further enacted,* That the child or children of any chief or warrior of the Creek nation, who resided within the limits of the said ceded country, at the commencement of the late Creek war, and who was killed or died in the service of the United States, during said war, or who has since died of wounds received therein, shall be entitled, without payment, to a reservation of so much land as such chief or warrior would have been entitled to, had he been living at the time said treaty was signed; which land shall be located in the manner prescribed by the first section of this act.

The children of any Creek warrior who resides within the limits, &c., and who was killed, &c., entitled to a reservation, &c.

SEC. 5. *And be it further enacted,* That, for the purpose of carrying into effect the provisions of this act, the agent of the United States for the Creek nation shall immediately proceed to take such evidence as each and every person, who may be entitled to lands under the provisions of it, shall be able to adduce in support of such title. The evidence shall, as far as practicable, be taken by the agent on the land occupied by such claimant; and in all cases where he shall be of opinion that the claim is a valid one, the quarter-sections, including the improvements, shall be designated as provided for in the first section of this act; and the agent shall, without delay, return to the Secretary of the Treasury the evidence taken in each case, (reserving a copy thereof) together with the names of the claimants, and the numbers of the quarter sections reserved for them respectively. And the Secretary of the Treasury, with the approbation of the President, shall finally decide on the validity of such claim.

The agent of the United States for the Creek nation to take evidence, &c.

The Secretary of the Treasury to decide finally, &c.

SEC. 6. *And be it further enacted,* That the agent shall transmit, without delay, to the register of the land office for the district in which the lands may be, a statement of the names of the claimants, and the numbers of the quarter-sections which have been reserved for each claimant; and the register of the land office shall not offer any such quarter-section for sale, unless specially directed otherwise by the Secretary of the Treasury.

The agent to transmit to the register of the land office the names of claimants and numbers of quarter-sections, &c.

SEC. 7. *And be it further enacted,* That the agent of the United States shall be allowed, in addition to his salary, the sum of three dollars per day, whilst occupied in performing the duties assigned to him by this act; and he shall be authorized to employ a surveyor, in those cases where it may be necessary, for the purpose of ascertaining the quarter-sections of land to be allotted to each claimant.

Three dollars per day to the agent in addition to salary, &c.

The agent may employ a surveyor.

SEC. 8. *And be it further enacted,* That the expenses which shall be incurred in carrying into effect this act, shall be paid out of any moneys in the Treasury not otherwise appropriated. (a)

(a) See Nos. 1451, 1545, 1557.

• No. 1446.—AN ACT for the relief of Narcissus Broutin and others.

April 9, 1818.
Vol. 6, p. 202.

Be it enacted, &c., That Narcissus Broutin, George Brewer, the legal representatives of John Baker, the legal representatives of Louis Duret, and the legal representative of John Trouillet and of Joseph Chasting, be, and they are hereby, confirmed in their respective claims, founded on Spanish warrants of surveys, to land lying on the east side of the Tombigbee River: *Provided,* That not more than six hundred and forty acres be allowed to any one claim.

Confirmed in their claims founded on Spanish warrants of surveys.

Register to make out an order of survey for each tract.

SEC. 2. *And be it further enacted,* That it shall be the duty of the register of the land office within whose district the said lands may be, and he is hereby required, to make out, for the surveyor of the land south of the State of Tennessee, an order of survey for each tract of land confirmed by this act, to be located on the tracts so claimed; *Provided,* The said lands have not been sold by the United States; but in case the lands shall have been sold, the location of the claims aforesaid may be laid on any lands of the United States lying on the east side of said river of Tombigbee, within the same district, and which shall have been offered at public sale; and on the return of the plat of survey, made and executed pursuant to the said order, directed to the Commissioner of the General Land Office, patents shall be granted in like manner as provided by law for other lands of the United States.

April 9, 1818.
Vol. 6, p. 205.

No. 1447.—AN ACT confirming the claim of Tobias Rheams to a tract of land granted to him by the Spanish Government.

Land title confirmed.

Be it enacted, &c., That Tobias Rheams, or his legal representatives, be, and they are hereby, confirmed in the title to a tract of land, situate in the Territory of Alabama, on the east side of the Tombigbee River, granted by the Spanish Government to the said Tobias Rheams, by warrant of survey, bearing date the tenth day of June, one thousand seven hundred and ninety-five, and containing, by actual survey, the quantity of two hundred and eighty arpents: *Provided,* The said land has not been already disposed of under the authority of the United States.

Proviso.

Patent to issue.

SEC. 2. *And be it further enacted,* That the Commissioner of the General Land Office be, and he is hereby authorized and required, on a return of the survey of the above-mentioned tract of land, by the surveyor of the lands of the United States, south of the State of Tennessee, to issue a patent for the same to the said Tobias Rheams, or his legal representatives, or to any person legally claiming under him or them.

April 20, 1818.
Vol. 3, p. 465.

No. 1448.—AN ACT authorizing the disposal of certain lots of public ground in the city of New Orleans and town of Mobile.

[See LOUISIANA, No. 730.]

April 20, 1818.
Vol. 6, p. 213.

No. 1449.—AN ACT for the relief of Peggy Bailey.

May enter a tract of land without payment.

Be it enacted, &c., That it shall be lawful for Peggy Bailey, sister of Dixon Bailey, (a Creek Indian of the half blood, who was slain in the service of the United States, at the capture of Fort Mims,) and she is hereby, authorized to enter, without payment, with the register of the land office in whose district the land lies, three hundred and twenty acres of land, so as to include the settlement and improvements of the said Dixon Bailey in the Alabama Territory: *Provided,* That neither the said Peggy Bailey, nor her heirs, shall have power of alienating said land, or any part thereof, in any manner whatever; and in case of the voluntary abandonment of the possession and occupancy of the said tract of land by the said Peggy Bailey, or of her heirs, hereafter, the said land shall revert to the United States.

Proviso.

April 20, 1818.
Vol. 3, p. 466.

No. 1450.—AN ACT respecting the surveying and sale of the public lands in the Alabama Territory.

The powers of the surveyor of the northern part of Mississippi limited to Alabama.

Lands to be surveyed.

Compensation.

Be it enacted, &c., That the powers and duties of the surveyor for the lands in the northern part of the late Mississippi Territory, shall extend to the whole of the Alabama Territory, and that only. And it shall be his duty to cause such of the said lands, to which the Indian title has been, or shall hereafter be, extinguished, as the President of the United States shall direct, to be surveyed and divided in the same manner, and under the same regulations, as are provided by law in relation to other public lands. And the said surveyor shall receive for his services, hereafter, an annual compensation of two thousand dollars, and shall be allowed not exceeding two clerks, whose whole compensation shall not exceed fifteen hundred dollars per annum. (a)

SEC. 2. *And be it further enacted*, That in every public sale hereafter to be made of public lands, in the Territory of Alabama, there shall, in addition to the usual reservation of section sixteen, in each township, for the support of schools, (b) be excepted from the sales such sections, not exceeding ten in any one land district, as the President of the United States shall have designated, for the purpose of laying out and establishing towns thereon; which sections, so designated and reserved, for the purpose aforesaid, shall be laid off into lots, and offered for sale, in the manner, and on the terms and conditions, and with the same limitation as to price, as is prescribed, for the laying off and sale of lots, by the fifth section of the act, entitled "An act to authorize the appointment of a surveyor for the lands in the northern part of the Mississippi Territory, and the sale of certain lands therein described," passed on the third of March, one thousand eight hundred and seventeen. And there shall be reserved from sale, in the Alabama Territory, an entire township, which shall be located by the Secretary of the Treasury, for the support of a seminary of learning within the said Territory, (c) and also, any one entire section, which may be located under the direction of the governor of the said Territory, for the seat of government therein. (d)

Lands excepted from sale on which to build towns.
An entire township to be located for the support of a seminary of learning, and a section for the seat of government.

SEC. 3. *And be it further enacted*, That all the lands lying between the basis meridian and the first standard meridian, in the Alabama district, be attached to the land district east of Pearl River. (e) And the lands so attached to the said district, east of Pearl River, after having been surveyed according to law, shall, with the exception of section number sixteen in each township which shall be reserved for the support of schools therein, (b) and with the further exception of such reservations as may be made in pursuance of the second section of this act, shall be offered for sale to the highest bidder, under the direction of the register of the land office, and the receiver of public moneys, at the place where the land office is kept, and on such day or days as shall, by proclamation of the President of the United States, be designated for that purpose: the sale shall remain open two weeks and no longer. The lands shall not be sold for less than two dollars an acre, and shall, in every other respect, be sold in tracts of the same size, and on the same terms and conditions, as have been, or may be, provided for lands sold in the same district. All the lands offered for sale, and remaining unsold at the close of the said public sales, may be disposed of at private sale, by the register of the land office, in the same manner, and on the same terms and conditions, as are or may be provided for the sale of other lands in the same district; and patents shall be granted in the same manner, and on the same terms, as for other lands in the said district. (f)

Lands attached to the district east of Pearl River.

The lands after having been surveyed to be sold, except No. 16, and other reservations, &c.

The President to designate the time of sale.

Lands offered, and not sold, may be disposed of at private sale, &c. Patents, &c.

(a) See Nos. 777, 1403, 1500, 1605.

(b) See Nos. 1452, 1477, 1541, 1586, 1589, 1590, 1592, 1600, 1603, 1604.

(c) See Nos. 1452, 1452.

(d) See No. 1452.

(e) See Nos. 718, 1266, 1279, 1422, 1428, 1430, 1456, 1499, 1511, 1523, 1568, 1574.

(f) See Nos. 433, 730, 1266, 1279, 1281, 1293, 1301, 1323, 1422, 1428, 1429, 1436, 1441, 1448, 1470, 1516, 1545, 1596, 1602, 1609, 1618.

NO. 1451.—AN ACT authorizing the President of the United States to purchase the lands reserved by the act of the third of March, eighteen hundred and seventeen, to certain chiefs, warriors, or other Indians, of the Creek nation.

Feb. 20, 1819.
Vol. 3, p. 484.

Be it enacted, &c., That it shall be lawful for the President of the United States to purchase for, and on behalf of, the United States, any tract or tracts of land, reserved by the act of the third day of March, eighteen hundred and seventeen, to the chiefs, warriors, or other Indians, of the Creek nation, which they, or either of them, may be disposed to sell; and the amount of such purchase shall be paid out of any money in the Treasury not otherwise appropriated.

The President may purchase any tract of land reserved, by act of March, 1817, to the Creeks.

SEC. 2. *And be it further enacted*, That any tract or tracts of land, the title to which may be acquired by the United States, by virtue of this act, shall be offered at public sale, at the land offices of the district in which they may be situate, upon such day or days as the President shall, by proclamation, designate for that purpose, in the same manner, and on the same conditions and terms of credit, as is provided by law for the sale of public lands of the United States; and patents shall be granted therefor, as for other public lands and town lots sold by the United States. (a)

Lands acquired by virtue of this act to be offered for sale upon such days as the President may designate.

(a) See Nos. 1445, 1545, 1557.

March 2, 1819.
Vol. 3, p. 489.

No. 1452.—AN ACT to enable the people of the Alabama Territory to form a constitution and State government, and for the admission of such State into the Union on an equal footing with the original States.

The inhabitants of Alabama authorized to form a constitution and State government.

To be admitted into the Union.

Boundaries of the State.

Including islands within six leagues of the shore.

The line of demarcation between Mississippi and the State to be formed, to be run and cut by the surveyors of lands south of Tennessee and of Alabama.

Propositions offered to the convention.

Section No. 16, in every township, for the use of schools.

Salt springs and the land for working them granted to the State for the use of the people.

Five per cent. of net proceeds of land, sold after Sept. 1, 1819, to be reserved for making public roads, canals, &c.

An entire township for a seminary of learning.

To be reserved in small tracts.

Proviso: irrevocable order.

Be it enacted, &c., That the inhabitants of the Territory of Alabama be, and they are hereby, authorized to form for themselves a constitution and State government, and to assume such name as they may deem proper; and that the said Territory, when formed into a State, shall be admitted into the Union, upon the same footing with the original States, in all respects whatever.

SEC. 2. *And be it further enacted,* That the said State shall consist of all the territory included within the following boundaries, to wit: Beginning at the point where the thirty-first degree of north latitude intersects the Perdido River; thence, east, to the western boundary line of the State of Georgia; thence along said line, to the southern boundary line of the State of Tennessee; thence, west, along said boundary line, to the Tennessee River; thence, up the same, to the mouth of Bear Creek; thence, by a direct line, to the northwest corner of Washington County; thence, due south, to the Gulf of Mexico; thence, eastwardly, including all islands within six leagues of the shore, to the Perdido River; and thence, up the same to the beginning.

SEC. 3. *And be it further enacted,* That it shall be the duty of the surveyor of the lands of the United States south of the State of Tennessee, and the surveyor of the public lands in the Alabama Territory, to run and cut out the line of demarcation, between the State of Mississippi and the State to be formed of the Alabama Territory; and if it should appear to said surveyors, that so much of said line designated in the preceding section, running due south, from the northwest corner of Washington County to the Gulf of Mexico, will encroach on the counties of Wayne, Green, or Jackson, in said State of Mississippi, then the same shall be so altered as to run in a direct line from the northwest corner of Washington County to a point on the Gulf of Mexico, ten miles east of the mouth of the river Pascagola. (a)

SEC. 6. *And be it further enacted,* That the following propositions be, and the same are hereby, offered to the convention of the said Territory of Alabama, when formed, for their free acceptance or rejection, which, if accepted by the convention, shall be obligatory upon the United States.

First. That the section numbered sixteen in every township, and when such section has been sold, granted, or disposed of, other lands equivalent thereto, and most contiguous to the same, shall be granted to the inhabitants of such townships for the use of schools. (b)

Second. That all salt springs within the said Territory, and the lands reserved for the use of the same, together with such other lands as may, by the President of the United States, be deemed necessary and proper for working the said salt springs, not exceeding in the whole the quantity contained in thirty-six entire sections, shall be granted to the said State, for the use of the people of the said State, the same to be used, under such terms, conditions, and regulations, as the legislature of the said State shall direct: *Provided,* That said legislature shall never sell, nor lease the same for a longer term than ten years at any one time.

Third. That five per cent. of the net proceeds of the lands lying within the said Territory, and which shall be sold by Congress, from and after the first day of September, in the year one thousand eight hundred and nineteen, after deducting all expenses incident to the same, shall be reserved for making public roads, canals, and improving the navigation of rivers, of which three fifths shall be applied to those objects within the said State, under the direction of the legislature thereof, and two-fifths to the making of a road or roads leading to the said State, under the direction of Congress. (c)

Fourth. That thirty-six sections, or one entire township, to be designated by the Secretary of the Treasury, under the direction of the President of the United States, together with the one heretofore reserved for that purpose, shall be reserved for the use of a seminary of learning, and vested in the legislature of the said State, to be appropriated solely to the use of such seminary by the said legislature. And the Secretary of the Treasury, under the direction as aforesaid, may reserve the seventy-two sections or two townships, hereby set apart for the support of a seminary of learning, in small tracts: *Provided,* That no tract shall consist of less than two sections: (d) *And provided always,* That the said convention shall provide, by an ordinance irrevocable without the con-

sent of the United States, that the people inhabiting the said Territory, do agree and declare that they forever disclaim all right and title to the waste or unappropriated lands lying within the said Territory; and that the same shall be and remain at the sole and entire disposition of the United States; and moreover, that each and every tract of land sold by the United States, after the first day of September, in the year one thousand eight hundred and nineteen, shall be and remain exempt from any tax laid by the order, or under the authority of the State, whether for State, county, township, parish, or any other purpose whatever, for the term of five years, from and after the respective days of the sales thereof; (e) and that the lands belonging to citizens of the United States, residing without the said State, shall never be taxed higher than the lands belonging to persons residing therein; and that no tax shall be imposed on lands, the property of the United States; and that all navigable waters within the said State shall for ever remain public highways, free to the citizens of said State and of the United States, without any tax, duty, impost, or toll, therefor, imposed by the said State.

SEC. 7. *And be it further enacted*, That, in lieu of a section of land, provided to be reserved for the seat of government of the said Territory, by an act, entitled "An act respecting the surveying and sale of the public lands in the Alabama Territory," there be granted to the said State, for the seat of the government thereof, a tract of land containing sixteen hundred and twenty acres, and consisting of sundry fractions and a quarter-section, in sections thirty-one and thirty-two, in township sixteen, and range ten, and in sections five and six, in township fifteen, and range ten, and in sections twenty-nine and thirty, in the same township and range, lying on both sides of the Alabama and Cahawba rivers, and including the mouth of the river Cahawba, and which heretofore has been reserved from public sale, by order of the President of the United States. (f)

- (a) See Nos. 707, 1264, 1265, 1285, 1420, 1421, 1427, 1431, 1443, 1453, 1499.
 (b) See Nos. 1450, 1477, 1541, 1586, 1589, 1590, 1592, 1600, 1603, 1604.
 (c) See Nos. 1013, 1314, 1459, 1494, 1541, 1573, 1581, 1607.
 (d) See Nos. 1450, 1482.
 (e) See Nos. 169, 1583.
 (f) See No. 145J.

No. 1453.—RESOLUTION declaring the admission of the State of Alabama into the Union.

Dec. 14, 1819.
Vol. 2, p. 608.

Whereas, in pursuance of an act of Congress, passed on the second day of March, one thousand eight hundred and nineteen, entitled "An act to enable the people of the Alabama Territory to form a constitution and State government, and for the admission of such State into the Union, on an equal footing with the original States," the people of the said Territory did, on the second day of August, in the present year, by a convention called for that purpose, form for themselves a constitution and State government, which constitution and State government, so formed, is republican, and in conformity to the principles of the articles of compact between the original States and the people and States in the territory northwest of the river Ohio, passed on the thirteenth day of July, one thousand seven hundred and eighty-seven, so far as the same have been extended to the said Territory by the articles of agreement between the United States and the State of Georgia:—

The people of Alabama have formed a constitution and State government, &c.

Resolved, &c., That the State of Alabama shall be one, and is hereby declared to be one, of the United States of America, and admitted into the Union on an equal footing with the original States, in all respects whatever. (a)

Alabama admitted into the Union.

- (a) See Nos. 707, 1264, 1265, 1285, 1420, 1421, 1427, 1431, 1443, 1452, 1499.

No. 1454.—AN ACT for the relief of John McGrew, Richard Cravat, Hardy Perry, and Beley Cheney.

May 8, 1820.
Vol. 6, p. 246.

Be it enacted, &c., That John McGrew, Richard Cravat, Hardy Perry, and Beley Cheney, be, and they are hereby, confirmed in their respective claims to land lying on the east side of the Tombigbee River, in the State of Alabama, founded on Spanish warrants of survey, issued prior to the twenty-seventh day of October, in the year one thousand seven hundred and ninety-five: *Provided*, The said claimants shall prove,

Confirmed in their claims to land in Alabama.

Provided

to the satisfaction of the register and receiver of the land office within whose district the said lands are situated, that they were residents of the Mississippi Territory on the day aforesaid; and that, prior to that period, the conditions of said warrants of survey were performed by them.

Register and receiver to receive and record the evidence, &c.

SEC. 2. *And be it further enacted*, That the register and receiver aforesaid, are hereby required to receive and record the evidence which may be offered in support of the claims enumerated in the first section of this act; and if it shall appear that the said claimants were residents of the late Mississippi Territory, or had complied with the conditions of their warrants of survey, on the day and year in the foregoing section specified, it shall be the duty of the said register and receiver to issue to the said claimants certificates of confirmation, for the quantity of land mentioned in the said warrants of survey: *Provided*, No certificate shall be for a larger quantity than six hundred and forty acres: *And provided, also*, That the said lands have not been sold by the United States; in which case, the register and receiver shall make a special report of the fact, with all the evidence thereto appertaining, to the Commissioner of the General Land Office, who shall present the same to Congress at their next session, for their decision thereon. (a)

Proviso.

Proviso.

(a) See No. 1555.

May 8, 1890.
Vol. 6, p. 246.

No. 1455.—AN ACT for the relief of the legal representatives of Henry Willis.

Authorized to enter a tract of land, in lieu of two other tracts claimed by them.

Be it enacted, &c., That the legal representatives of Henry Willis be, and they are hereby, authorized to enter, without payment, in lieu of two tracts of land, claimed by them, on the waters of Bayou Sarah, and which have been sold by the United States, in any land office in the States of Mississippi or Alabama, and in such quantities, agreeably to the surveys made by the United States, as the claimants may desire, a quantity not exceeding thirteen hundred arpens; for which the register or registers of the land offices aforesaid, shall issue the necessary certificate or certificates, on return of which, to the General Land Office, a patent or patents shall issue in favor of said legal representatives. (a)

(a) See No. 1457.

May 11, 1890.
Vol. 3, p. 571.

No. 1456.—AN ACT to establish additional land offices in the States of Alabama and Illinois.

District and land office at Tuscaloosa.

Be it enacted, &c., That for the sale of the unappropriated public lands in the State of Alabama, the following districts shall be formed, and land offices therefor established: All the public lands, as aforesaid, bounded on the north by the line which separates townships numbered fourteen and fifteen, in the district of Huntsville; on the south, by the line which separates townships twenty-two and twenty-three, in the district of Cahawba, and the district east of Pearl River; and on the east and west, by the lines of the State of Alabama; shall form a district, for which a land office shall be established at Tuscaloosa.

District and land office at Conecuh Courthouse.

And all the public lands, as aforesaid, bounded on the south by the southern boundary of the State of Alabama; on the west, by the line separating ranges four and five, east of the basis meridian, to the line separating townships five and six north, in the district of Cahawba; thence, east, with said line, to the line separating ranges twenty and twenty-one; thence north, with the said line, to the line separating townships eleven and twelve; thence, east, with said line, to the eastern boundary of the State of Alabama, and bounded on the east by the eastern boundary of said State; shall form a district, for which a land office shall be established at Conecuh Courthouse.

Part of Shawneetown district to form a separate land district.

SEC. 2. *And be it further enacted*, That so much of the public lands, heretofore included in the Shawneetown land district, as lies east of the third principal meridian, north of the base line, and west of the range line, between ranges numbered eight and nine, east of the said third principal meridian, shall constitute a separate land district; and, for the sale of the public lands therein, there shall be a land office established at Vandalia, the seat of government for the State of Illinois.

Land office at Vandalia.

Another land district in Illinois.

SEC. 3. *And be it further enacted*, That so much of the public land as lies north of the base line, east of the aforesaid range line, and west of the Big Wabash River, as lies in the State of Illinois, shall also con-

stitute a separate land district; and for the sale of the public lands, Land office at there shall be a land office established at the town of Palestine, on the Palestine. said Wabash River.

SEC. 4. *And be it further enacted*, That there shall be a register and receiver appointed to each of the aforesaid land offices, to superintend the sales of the public lands in their respective districts, who shall reside at the places designated in their respective districts, at which the offices are fixed, give security in the same manner, in the same sums, and whose compensation, emoluments, and duties, and authority, shall, in every respect, be the same, in relation to the lands which shall be disposed of at their offices, as are or may be by law provided in relation to the registers and receivers of public moneys in the several offices established for the sale of the public lands. A register and receiver for each of the land offices, with compensation, &c., as in other cases.

SEC. 5. *And be it further enacted*, That the provisions of the second, third, and fifth sections of the act, entitled "An act to designate the boundaries of districts, and establish land offices for the disposal of the public lands, not heretofore offered for sale, in the States of Ohio and Indiana," approved March the third, eighteen hundred and nineteen, be, and the same are hereby, made applicable to the aforesaid districts and offices, so far as they are not changed by subsequent laws of the United States. (a) Second, third, and fifth sections of the act of March 3, 1819, applicable, &c., so far as they have not been changed, &c.

(a) See Nos. 712, 1266, 1279, 1422, 1428, 1430, 1450, 1499, 1511, 1523, 1568, 1574.

No. 1457.—AN ACT to amend the act, entitled "An act for the relief of the legal representatives of Henry Willis." Dec. 29, 1820. Vol. 6, p. 254.

Be it enacted, &c., That the act, entitled "An act for the relief of the legal representatives of Henry Willis," passed on the eighth day of May, one thousand eight hundred and twenty, be so construed as to except from location all town lots and lands now or hereafter reserved by the United States, or which may have been, or may be, appropriated by Congress for the use of any State, or for any other purpose, and that the location be made within two years from the passage of this act. (a) Act of May 8, 1820, to be so construed as to exempt from location town lots, &c.

(a) See No. 1455.

No. 1458.—AN ACT supplementary to an act, entitled "An act to set apart and dispose of certain public lands for the encouragement of the cultivation of the vine and olive." April 26, 1822. Vol. 3, p. 667.

Be it enacted, &c., That, whenever any individual or individuals, named in the contract entered into between the Secretary of the Treasury and Charles Villar, agent of the French association, on the eighth day of January, in the year one thousand eight hundred and nineteen, by virtue of the act of Congress, entitled "An act to set apart and dispose of certain public lands for the encouragement of the cultivation of the vine and olive," passed on the third day of March, one thousand eight hundred and seventeen, or the heirs or devisees of such individual or individuals, shall have complied with the conditions of settlement and cultivation, in the said contract prescribed, in proportion to his or their interest, under the said contract, and in the lands thereby set apart, and shall have paid the amount of purchase money, proportionate to his or their interest in said land, within the particular periods in the said contract limited, it shall and may be lawful for the Secretary of the Treasury, and he is hereby required, to cause letters-patent to be issued to such individual or individuals, or his or their heirs or devisees, for the amount of his or their interest in the lands set apart and contracted for by virtue of the said act, any thing in the said act or contract contained to the contrary notwithstanding: saving, always, to the widow of any such deceased proprietor her right of dower in said lands, according to the laws of the State of Alabama. (a) When any individual of the association, his heirs, or devisees shall have complied with the conditions of settlement, &c., in proportion to his interest, and paid the amount of purchase money, &c., the Secretary of the Treasury to cause a patent to issue for the proportionate interest of the individual in the lands set apart. Saving to the widow her right of dower, according to the laws of Alabama.

(a) See Nos. 1444, 1497, 1521, 1543.

No. 1459.—AN ACT to provide for paying to the States of Missouri, Mississippi, and Alabama, three per cent. of the net proceeds, arising from the sale of the public lands within the same. May 3, 1822. Vol. 3, p. 674.

[See MISSISSIPPI, No. 1314.]

May 6, 1822.
Vol. 6, p. 267.

No. 1460.—AN ACT confirming the title to a tract of land to Alzira Dibrel and Sophia Hancock.

Title to a tract of land reserved them by the treaty of Mount Dexter with the Choctaws, confirmed.

Be it enacted, &c., That the title to a tract of land containing five thousand one hundred and twenty acres, be, and the same is hereby, confirmed to, and vested in, Alzira Dibrel, formerly Alzira Mitchel, and Sophia Hancock, formerly Sophia Mitchel, daughters of Samuel Mitchel, by Molly, a Choctaw woman, and their heirs, for ever, which tract of land was reserved to them by the treaty of Mount Dexter, concluded between the United States of America and the Choctaw nation of Indians, on the sixteenth day of November, one thousand eight hundred and five.

May 8, 1822.
Vol. 3, p. 699.

No. 1461.—AN ACT confirming claims to lots in the town of Mobile, and to land in the former province of West Florida, which claims have been reported favourably on by the commissioners appointed by the United States.

Claims to lots in Mobile, founded on complete grants from the French, British, or Spanish authorities, reported, &c., recognized as valid.

Be it enacted, &c., That all the claims to lots in the town of Mobile, founded on complete grants derived from either the French, British, or Spanish, authorities, reported to the Secretary of the Treasury by the commissioner for the district east of Pearl River, appointed under the authority of "An act for ascertaining the titles and claims to land in that part of Louisiana which lies east of the island of New Orleans," or which were so reported by the register and receiver, acting as commissioners, under the act of the third of March, one thousand eight hundred and nineteen, entitled "An act for adjusting claims to land, and establishing land offices, in the districts east of the island of New Orleans," which are contained in the reports of the commissioner, or of the register and receiver acting as commissioners, and which are, in their opinion, valid, agreeably to the laws, usages, and customs, of the said governments, be, and the same are hereby, recognised as valid.

Certain claims to lots in Mobile confirmed.

SEC. 2. *And be it further enacted,* That all the claims to lots in the town aforesaid, reported as aforesaid, and contained in the reports of the commissioner, or of the register and receiver acting as commissioners, founded on orders of survey, requettes, permissions to settle, or other written evidences of claims, derived from either the French, British, or Spanish authorities, and bearing date prior to the twentieth of December, one thousand eight hundred and three, and which ought, in the opinion of the commissioner, to be confirmed, shall be confirmed in the same manner as if the title had been completed.

All claims to lots in Mobile, reported by the commissioner, &c., founded on private conveyances, &c., confirmed, &c.

SEC. 3. *And be it further enacted,* That all the claims to lots in the town aforesaid, reported as aforesaid, and contained in the reports of the commissioner, or of the register and receiver acting as commissioners, founded on private conveyances which have passed through the office of the commandant, or other evidence, but founded, as the claimants allege, on grants lost by time and accident, and which ought, in the opinion of the commissioner, to be confirmed, shall be confirmed in the same manner as if the titles were in existence: *Provided,* That, in all such claims where the quantity claimed is not ascertained, no one claim shall be confirmed for a quantity exceeding seven thousand two hundred square feet.

Proviso.

For all other claims to lots in Mobile, contained in the report of the register and receiver, built upon, &c., on or before April 15, 1813, grants to issue as donations.

SEC. 4. *And be it further enacted,* That for all the other claims to lots in the town aforesaid, reported as aforesaid, which are contained in the report of the register and receiver, and which, by the said report, appear to have been built upon or improved and occupied, on or before the fifteenth day of April, one thousand eight hundred and thirteen, the claimants shall be entitled to grants therefor as donations: *Provided,* That in all such claims, where the quantity claimed is not ascertained, no one claim shall be confirmed for a quantity exceeding seven thousand two hundred square feet; *And provided also,* That all the confirmations and grants provided to be made by this act, shall amount only to a relinquishment for ever, on the part of the United States, of all right and title whatever to the lots of land so confirmed or granted.

Proviso.

Registers and receivers of the land offices at St. Helena and Jackson Court-

SEC. 5. *And be it further enacted,* That the registers and receivers of the land offices at St. Helena Courthouse and at Jackson Courthouse, respectively, shall have the same powers to direct the manner in which all lands confirmed by this act shall be located and surveyed, and also to

decide between the parties in all conflicting and interfering claims, as are given by the act, entitled "An act supplementary to the several acts for adjusting the claims to land, and establishing land offices, in the districts east of the island of New Orleans." (a) houses, to have the same powers, &c., as are given by the act supplementary, &c.

(a) See Nos. 718, 723, 1067, 1266, 1268, 1270, 1274, 1276, 1286, 1287, 1292, 1296, 1299, 1300, 1422, 1423, 1424, 1425, 1426, 1430, 1432, 1433, 1435, 1437, 1438, 1439, 1440, 1479, 1484, 1527, 1585.

No. 1462.—AN ACT granting to the State of Alabama the right of pre-emption to certain quarter-sections of land. March 3, 1823.
Vol. 3, p. 773.

Be it enacted, &c., That there be granted to the State of Alabama, at the minimum price for which public lands of the United States are sold, the right of pre-emption to one quarter-section of land, in, or near, the centre of each of the counties of Marengo, Perry, and Decatur, of the State aforesaid, in trust for said counties, respectively, for the establishment of seats of justice therein: *Provided*, That the proceeds of the sale of each of said quarter-sections shall be appropriated for the purpose of erecting public buildings in the county for which it is located, after deducting therefrom the amount originally paid for the same: *And provided further*, That the seat of justice for said counties, respectively, shall be fixed and continued on the lands so located and selected. Alabama allowed the right of pre-emption of lands for seats of justice.
Proviso.
Proviso.

No. 1463.—AN ACT to regulate the surveying of public and private lands in the southern part of Alabama. Feb. 28, 1824.
Vol. 4, p. 6.

Be it enacted, &c., That all the lands in the State of Alabama shall be attached to the district of the surveyor of the public lands in the State of Alabama, and the surveying of all public and private lands, in the said State, shall hereafter be made under his direction; and it shall be the duty of the deputy surveyor of the district east of the island of New Orleans, and east of Pearl River, to return the plats of all private claims within the State of Alabama, to the office of the said surveyor. (a) &c. Lands to be attached to the district of the surveyor, and the deputy surveyor east of the island of New Orleans, &c.

(a) See Nos. 777, 1450, 1500, 1605.

No. 1464.—AN ACT for the relief of the heirs of Miguel Eslava.

May 21, 1824.
Vol. 6, p. 311.

Be it enacted, &c., That the heirs of Miguel Eslava, deceased, be, and they are hereby, confirmed in their claim to a lot of ground situated below Fort Mobile, purchased by the said Miguel Eslava, at a judicial sale of Jean Baptiste de Lusser, on the thirtieth day of December, one thousand seven hundred and eighty-eight, and bounded on the east by Royal street continued, on the north by Monroe street, on the west by Washington street, and on the south by a lot claimed by the family of Durette, and containing sixteen thousand nine hundred and one square feet: *Provided*, This confirmation shall only amount to a relinquishment, on the part of the United States, and shall not affect the rights of any third person. His heirs confirmed in their claim to a lot of ground below Fort Mobile.
Proviso.

No. 1465.—AN ACT for the relief of the representatives of John Donnelson, Stephen Heard and others. May 24, 1824.
Vol. 6, p. 313.

[Authorized to enter 5,000 acres of land in any land office in Mississippi or Alabama. See MISSISSIPPI, No. 1321.]

No. 1466.—AN ACT granting certain lots of ground to the corporation of the city of Mobile, and to certain individuals of said city. May 26, 1824.
Vol. 4, p. 66.

Be it enacted, &c., That all the right and claim of the United States to the lots known as the hospital and bake-house lots, containing about three-fourths of an acre of land, in the city of Mobile, in the State of Alabama; and also all the right and claim of the United States to all the lots not sold or confirmed to individuals, either by this or any former act, and to which no equitable title exists, in favour of any individual, under this or any other act, between high-water mark and the channel of the river, and between Church street and North Boundary street, in front of the mayor All the right and claim of the United States to the lots known as the hospital and bake-house lots in the city of Mobile, &c., vested in the mayor

and aldermen of the said city, be, and the same are hereby, vested in the mayor and aldermen of the said city of Mobile, for the time being, and their successors in office, for the sole use and benefit of the said city forever.

Right and claim of the United States to other lots in said city vested in the person to whom such alienation, grant, or order of survey was made. SEC. 2. *And be it further enacted,* That all the right and claim of the United States to so many of the lots of ground, east of Water street, and between Church street and North Boundary street, now known as water lots, as are situated between the channel of the river and the front of the lots, known, under the Spanish Government, as water lots, in [the] said city of Mobile, whereon improvements have been made, be, and the same are hereby, vested in the several proprietors and occupants of each of the lots heretofore fronting on the river Mobile, except in cases where such proprietor or occupant has alienated his right to any such lot, now designated as a water lot, or the Spanish Government has made a new grant, or order of survey, for the same, during the time at which they had the power to grant the same; in which case, the right and claim of the United States shall be, and is hereby, vested in the person to whom such alienation, grant, or order of survey, was made, or in his legal representative; *Provided,* That nothing in this act contained shall be construed to affect the claim or claims, if any such there be, of any individual or individuals, or of any body politic or corporate. (a)

Proviso.

(a) See No. 1480.

May 26, 1824.
Vol. 6, p. 315.

No. 1467.—AN ACT granting to the corporation of Tuscaloosa certain lots and privileges over the reservations and commons in said town.

The right and title of the United States to the public streets, &c., in the town of Tuscaloosa, vested in the corporation of said town forever.

The right, &c., to another tract vested in said corporation on certain conditions.

Be it enacted, &c., That the right and title of the United States to the public streets, and to certain lots in the town of Tuscaloosa, set apart for public uses, and designated in the plan of said town, by the names of the "court square," the "market square," the "jail lot," the "spring," the "church," and the "burial ground," be, and the same is hereby, vested in the corporation of said town forever: And, also, all the right of the United States to that tract, between the lots and the river Tuscaloosa, called the "river margin," and of that called the "pond;" and, also, of that called "the common;" on condition, however, that the corporation shall not lease or sell any portion of the last-mentioned tracts; but, that the same shall be appropriated to the purposes for which they were designated and set apart, as well for the benefit of the inhabitants of said town, as for that of those resorting to, or visiting the same; and in case the same, or any part thereof, be applied to any other purpose, that it revert to the United States. (a)

(a) See No. 1595.

March 3, 1825.
Vol. 6, p. 323.

No. 1468.—AN ACT granting certain rights to David Tate, Josiah Fletcher, and John Weatherford.

All right which the United States possesses in their reservations vested in each occupant.

Proviso.

Be it enacted, &c., That all right, title, and interest, which the United States possess, in each of the reservations severally made to David Tate, Josiah Fletcher, and John Weatherford, of lands within the tract of country ceded to the United States by the treaty of Fort Jackson, of the ninth day of August, eighteen hundred and fourteen, with the Creek nation of Indians, be, and the same is hereby, vested in each occupant and claimant of the tract so reserved and occupied and claimed by him: *Provided,* That no one claim shall exceed the quantity of six hundred and forty acres.

March 31, 1826.
Vol. 6, p. 339.

No. 1469.—AN ACT for the relief of Elijah Buckley.

Lands at Cahawba relinquished to him.

Be it enacted, &c., That any forfeiture which may have accrued to the United States, from the non-payment of the purchase money for the east half of the southeast quarter of section numbered two, in township numbered nineteen, of range nine, in the district of lands offered for sale at Cahawba, be, and the same is hereby, relinquished; and that Elijah Buckley shall be entitled to receive a patent for the same, on making payment to the receiver of public moneys for the land office at Cahawba, of the sum of one dollar and one cent.

No. 1470.—AN ACT giving the right of pre-emption, in the purchase of lands, to certain settlers in the States of Alabama, Mississippi, and Territory of Florida.

April 22, 1826.
Vol. 4, p. 154.

[See MISSISSIPPI, No. 1323.]

No. 1471.—AN ACT for the relief of Charles Anderson.

May 16, 1826.
Vol. 6, p. 340.

Be it enacted, &c., That Charles Anderson be, and he is hereby, authorized to relinquish and surrender to the Government of the United States the east half of the southeast quarter of section twenty-eight, in township four, range six west, in the Huntsville land office district, containing seventy-nine acres and seventy-five hundredths of an acre, for which a patent was issued in his name, on the first day of October, eighteen hundred and twenty-five, upon a declaration for relinquishment erroneously made, upon which said relinquishment and surrender, as above mentioned, to the register and receiver of the land office in Huntsville: and in consideration thereof, they are hereby authorized and required to cause a patent to be issued, in the name of the said Anderson, for the west half of the said southeast quarter of section twenty-eight, in township four, of range six west, in lieu of the east half of the said southeast quarter of section twenty-eight, hereby authorized to be relinquished: *Provided*, Application shall be made to the register and receiver of the land office at any time previous to the land being offered for sale by the United States.

May surrender a certain quarter-section, and receive another in return.

Proviso.

No. 1472.—AN ACT relinquishing the right of the United States in a certain tract of land, to Samuel Brashiers.

May 16, 1826.
Vol. 6, p. 342.

Be it enacted, &c., That all right, title, and interest, which the United States possess, in the reservation made to Samuel Brashiers, of lands within the tract of country ceded to the United States, by the treaty of Fort Jackson, on the ninth day of August, eighteen hundred and fourteen, with the Creek nation of Indians, be, and the same is hereby, vested in Samuel Brashiers, the occupant of the same: *Provided*, That only six hundred and forty acres shall be granted in virtue of this act, and that the same shall be laid out according to the provisions of the treaty.

Right of the United States in certain land surrendered to him.

Proviso.

No. 1473.—AN ACT relinquishing the right of the United States in a certain tract of land, to William Hollinger.

May 16, 1826.
Vol. 6, p. 342.

Be it enacted, &c., That all right, title, and interest, which the United States possess, in the reservation made to William Hollinger, of lands within the tract of country ceded to the United States, by a treaty of Fort Jackson, on the ninth day of August, eighteen hundred and fourteen, with the Creek nation of Indians, be, and the same is hereby, vested in the said William Hollinger: *Provided*, That only six hundred and forty acres shall be granted in virtue of this act.

Right of United States in certain land surrendered to him.

Proviso.

No. 1474.—AN ACT for the relief of Arthur Jones.

May 18, 1826
Vol. 6, p. 344.

Be it enacted, &c., That Arthur Jones be, and he is hereby, authorized and empowered to relinquish and surrender to the Government of the United States, the east half of the southwest quarter of section thirty, in township four, of range two west, containing eighty acres, and eight-hundredths of an acre, a patent for which issued in his name, dated the first day of October, eighteen hundred and twenty-five, on a declaration for relinquishment erroneously made: in consideration of which relinquishment and surrender, as above mentioned, to the register and receiver of the land office in Huntsville, they are hereby authorized and required to cause a patent to be issued, in the name of the said Arthur Jones, for the west half of the said southwest quarter of section thirty, in township four, of range two west, in lieu of the east half of said quarter-section, hereby authorized to be relinquished on the application of the said Jones: *Provided*, It shall be made at any time previous to said land being offered for sale by the United States.

May relinquish a certain tract of land, and receive a patent of another therefor.

Proviso.

May 22, 1896.
Vol. 6, p. 353.

No. 1475.—AN ACT for the relief of Alfred Flournoy.

May enter two sections of land in full discharge of his pension.

Proviso.

Proviso.

On making any entry, his pension certificate is to be returned.

Be it enacted, &c., That Alfred Flournoy, of the State of Tennessee, lately a lieutenant in the Army of the United States, and who, in consequence of the loss of a leg, from a Spanish battery at Pensacola, has been placed on the pension list at fourteen dollars a month, be, and he is hereby, authorized and empowered, within eighteen months from the passing of this act, to enter in any office in the States of Mississippi or Alabama, two sections of land, in commutation of, and in full discharge of his pension: *Provided*, That no entry shall be made, but of land which may have been previously offered at public sale: *And provided*, He shall not enter a less quantity than a quarter-section, unless where it may be a fraction, nor any lands which may have been heretofore relinquished, until after they may be again offered at public sale.

SEC. 2. *And be it further enacted*, That, on making any entry, in pursuance of the provisions of this act, with any register, the said Alfred Flournoy shall deposit his pension certificate, to be returned by said register to the Secretary of War; and thereupon, his said pension shall cease and determine, on the next quarter-day after such surrender. (a)

(a) See Nos. 1476, 1478.

Feb. 22, 1897.
Vol. 6, p. 358.

No. 1476.—AN ACT for the relief of Alfred Flournoy

Patents to issue for land in Alabama.

Be it enacted, &c., That patents do issue from the General Land Office to Alfred Flournoy, of Giles County, State of Tennessee, for eight quarter-sections of land, which he hath located, and entered in the register's office at Huntsville, in the State of Alabama, of the following descriptions; that is to say: the southwest quarter of section twenty-five, township four, range three, west; southeast quarter of section six, township five, range two, west; southwest and northwest quarters of section thirty-two, west: northwest quarter of section twenty-four, township four, range ten, west; northeast and southwest quarters of section four, township four, range ten, west; north quarter of section seven, township four, range seven, west; and the same is hereby declared to be in full compensation for and commutation of his pension heretofore granted by the United States. (a)

(a) See Nos. 1475, 1478.

March 2, 1897.
Vol. 4, p. 237.

No. 1477.—AN ACT to authorize the legislature of the State of Alabama to sell the lands heretofore appropriated for the use of schools in that State.

Authorized to sell, &c., in fee-simple, all or any part of the lands heretofore reserved by Congress for the use of schools, within said State.

Proviso.

Proviso.

Where the proceeds accruing to any one township or district is insufficient for the use of schools therein.

Be it enacted &c., That the legislature of the State of Alabama shall be, and is hereby, authorized to sell, and convey, in fee-simple, all or any part of the lands heretofore reserved and appropriated by Congress for the use of schools within said State, and to invest the money arising from the sale thereof, in some productive fund, the proceeds of which shall be forever applied, under the direction of said legislature, for the use and support of schools within the several townships and districts of country for which they were originally reserved and set apart, and for no other use or purpose, whatsoever; *Provided*, Said land, or any part thereof, shall in no case be sold without the consent of the inhabitants of such township or district, to be obtained in such manner as the legislature of said State shall by law direct: *And provided also*, That, in the apportionment of the proceeds of said fund, each township and district aforesaid shall be entitled to such part thereof, and no more, as shall have accrued from the sum or sums of money arising from the sale of the school lands belonging to such township or district.

SEC. 2. *And be it further enacted*, That, if the proceeds accruing to any township or district from said fund shall be insufficient for the support of schools therein, it shall be lawful for said legislature to invest the same as is herein before directed, until the whole proceeds of the fund belonging to such township or district shall be adequate to the permanent maintenance and support of schools within the same. (a)

(a) See Nos. 1450, 1452, 1541, 1586, 1589, 1590, 1592, 1600, 1603, 1604.

No. 1478.—AN ACT for the relief of John Boardman.March 2, 1897.
Vol. 6, p. 362.

Be it enacted, &c., That John Boardman, of Madison County, and State of Alabama, be, and he is hereby, authorized to locate and enter with the register and receiver of the land office in the Huntsville district, in the State of Alabama, the northwest quarter of section twenty-four, and the southwest quarter of section thirteen, in township four, of range two, west of the basis meridian, on paying for the same, at the rate of five dollars per acre: *Provided,* That such location and entry shall be made prior to the first day of January, one thousand eight hundred and twenty-eight; and that patents do issue from the General Land Office, to Alfred Flournoy, of Giles County, State of Tennessee, for eight quarter-sections of lands, which he hath located and entered in the register's office, at Huntsville, in the State of Alabama, in lieu, and in full satisfaction of, eight quarter-sections of land, specified and described in an act entitled "An act for the relief of Alfred Flournoy," approved February twenty-second, one thousand eight hundred and twenty-seven. (a)

May enter a tract of land in Alabama.

Proviso.

(a) See Nos. 1475, 1476.

No. 1479.—AN ACT supplementary to the several acts providing for the adjustment of land claims in the State of Alabama.March 3, 1897.
Vol. 4, p. 239.

Be it enacted, &c., That the claimants of lands, town lots, or out-lots, within that part of the limits of the former land district, of Jackson Courthouse, which is embraced in the State of Alabama, whose claims have been presented to the commissioners appointed to receive and examine claims and titles to lands, in said district of Jackson Courthouse, or to the register and receiver of the land office at Jackson Courthouse, acting as commissioners under the provisions of the act of the third of March, one thousand eight hundred and nineteen, entitled "An act for adjusting the claims to lands, and establishing land offices, in the district east of the island of New Orleans," and which have not been reported to Congress, or whose claims have not heretofore been presented to the said commissioners, or to the register and receiver, acting as commissioners, or whose claims have been acted upon, but additional evidence adduced, be allowed until the first day of September, eighteen hundred and twenty-seven, to present their titles and claims, and the evidence in support of the same to the register and receiver of the land office at St. Stephen's, in the State of Alabama, whose powers and duties, in relation to the same, shall, in all respects, be governed by the provisions of the acts before recited, and of the act of the eighth of May, eighteen hundred and twenty-two, entitled "An act supplementary to the several acts for adjusting the claims to land, and establishing land offices, in the district east of the island of New Orleans."

Course to be pursued by claimants of lands, &c., within a certain part of the former land district of Jackson Courthouse.

SEC. 2. *And be it further enacted,* That the said register and receiver shall have power to receive and examine such titles and claims, and, for that purpose, shall hold their sessions at the city of Mobile; they shall give suitable notice of the time and place of their sessions, but may adjourn from time to time, and meet at such other places as may be necessary, or may best suit the convenience of the claimants, on giving proper notice of the time of their adjournments. And the said register and receiver shall have power to appoint a clerk, who shall be a person capable of translating the French and Spanish languages, and who shall perform the duty of translator, and such other duty as may be required by the said register and receiver, and the said register and receiver shall each be allowed, as a compensation for their services, in relation to said claims, and for the services to be performed under the provisions of the several acts to which this is a supplement, at the rate of one thousand dollars per annum; and the clerk at the rate of one thousand dollars per annum; which several sums of money shall be paid out of any moneys in the Treasury not otherwise appropriated: *Provided,* That no more than one year's compensation shall be thus allowed to either the register or receiver, or clerk; and the payment of the whole of the aforesaid compensation shall be withheld by the Secretary of the Treasury, until a report, to be approved by him, shall have been made to him, of the performance of the services for which the same is allowed.

Power given to the register and receiver.

Proviso.

SEC. 3. *And be it further enacted,* That the register and receiver of the land office at Augusta, in the State of Mississippi, be, and they are hereby, required to separate, so far as practicable, from the titles to lands in Mississippi, all such papers or claims, or evidence of claims, for any tract

Duty of the register and receiver of the land office at Augusta, in Mississippi.

of land or town lot, lying in the State of Alabama, and certify the same generally to the register of the land office at St. Stephen's, in the State of Alabama; and, on proper application, to deliver them over to the said register, whose duty it shall be to receive the same, and preserve them among the records of his office. (a)

(a) See Nos. 718, 728, 1067, 1266, 1268, 1270, 1274, 1276, 1286, 1287, 1292, 1296, 1299, 1300, 1422, 1423, 1424, 1425, 1426, 1430, 1432, 1433, 1435, 1437, 1438, 1439, 1440, 1461, 1484, 1527, 1585.

March 3, 1827.
Vol. 4, p. 243.

No. 1480.—AN ACT granting to the corporation of the city of Mobile the right of preference in purchase of four sections of land, or a quantity equal to four sections, at or near Spring Hill, in the county of Mobile.

Register and receiver at St. Stephen's to receive from the corporation of the city of Mobile, \$1.25 per acre, for a certain quantity of land.

Be it enacted, &c., That the register and receiver of the land office at Saint Stephen's be, and they are hereby, authorized and directed to receive from the corporation of the city of Mobile, the sum of one dollar and twenty-five cents per acre, for a quantity of land, not exceeding four sections, at or near Spring Hill, in the county of Mobile, and State of Alabama; and, upon the receipt of said sum as aforesaid, the said register and receiver shall issue their certificate to, and in the name of the corporation of the city of Mobile, for the said quantity of land, not exceeding four sections as aforesaid.

In consideration of the sum paid as aforesaid, the United States relinquish their title.

SEC. 2. *And be it further enacted,* That, for and in consideration of the sum aforesaid, paid as aforesaid, [that] all the right and claim of the United States, to the said quantity of land, not exceeding four sections, in the county of Mobile, and State aforesaid, be, and the same is hereby, vested in the mayor and aldermen of the said city of Mobile, for the time being, and their successors in office, to be applied or disposed of by them, for the sole use and benefit of the said city forever: *Provided,* That no part of any claim, arising from acts of Congress, known as donations or pre-emptions by the reported list of actual settlers, or from grants recognised by any treaty, shall be covered or taken by this grant, but the same shall be excepted from, and held as not covered or interfered with by this act.

Proviso.

Patents shall issue.

SEC. 3. *And be it further enacted,* That patents shall issue, upon the presentation of said certificate of the register and receiver aforesaid, for the said quantity of land, not exceeding four sections, to the corporation of the city of Mobile, in the same manner that patents now issue upon the final certificate for other public lands. (a)

(a) See No. 1466.

May 23, 1828.
Vol. 4, p. 290.

No. 1481.—AN ACT to grant certain relinquished and unappropriated lands to the State of Alabama, for the purpose of improving the navigation of the Tennessee, Coosa, Cahawba, and Black Warrior rivers.

Four hundred thousand acres of relinquished lands in certain counties in Alabama granted to said State, to be applied to navigation.

Be it enacted, &c., That four hundred thousand acres, of the relinquished lands in the counties of Madison, Morgan, Limestone, Lawrence, Franklin, and Lauderdale, in the State of Alabama, be, and the same is [are] hereby, granted to said State, to be applied to the improvement of the navigation of the Muscle Shoals, and Colbert's Shoals, in the Tennessee River, and such other parts of said river within said State as the legislature thereof may direct: But if there shall not be four hundred thousand acres of relinquished unappropriated land in said counties, the deficiency to be made up out of any unappropriated lands in the county of Jackson, in said State.

Price at which the land shall be sold.

SEC. 2. *And be it further enacted,* That said State of Alabama, shall have power to sell, dispose of and grant said land, for the purposes aforesaid, at a price not less than the minimum price of the public lands of the United States, at the time of such sale.

Improvement.

SEC. 3. *And be it further enacted,* That the said State of Alabama shall commence said improvements within two years after the passage of this act, and complete the same within ten years thereafter.

Grant of all lands to become null and void, if applied to any other object whatever.

SEC. 4. *And be it further enacted,* That if said State of Alabama shall apply the lands hereby granted, or the proceeds of the sales, or any part thereof, to any other use or object whatsoever, than as directed by this act, before said improvements shall have been completed, the said grant for all lands then unsold shall thereby become null and void; and the said State of Alabama shall become liable and bound to pay to the United States the amount for which said land, or any part thereof, may have been sold, deducting the expenses incurred in selling the same.

SEC. 5. *And be it further enacted,* That the improvements of said navigation shall be commenced at the lowest point of obstruction in said river, within said State, continued up the same until completed, and be calculated for the use of steamboats, according to such plan of construction as the United States' engineers, appointed to survey and report thereon, may recommend, and the President of the United States approve: *Provided,* That such plan shall embrace, if practicable, a connection of the navigation of Elk River, with the said improvements.

Improvements of said navigation shall be commenced, &c.

Proviso.

SEC. 6. *And be it further enacted,* That after the completion of said improvements, the surplus of said grant, if any, shall be applied to the improvement of the navigation of the Coosa, Cahawba, and Black Warrior rivers, in said State, under the direction of the legislature thereof.

Surplus of said grant to be applied, &c.

SEC. 7. *And be it further enacted,* That the said rivers, when improved as aforesaid, shall remain forever free from toll for all property belonging to the Government of the United States, and for all persons in their service, and for all the citizens of the United States, unless a toll shall be allowed by act of Congress. (a)

Rivers, when improved, to be ever free from toll for all property belonging to the United States, &c.

(a) See Nos. 1487, 1495, 1518, 1524, 1533.

No. 1482.—AN ACT to authorize the selection of lands for the benefit of a seminary of learning, in the State of Alabama, instead of other lands heretofore selected.

May 24, 1828.
Vol. 6, p. 383.

Be it enacted, &c., That the trustees of the University of the State of Alabama be, and they are hereby, authorized to surrender the patents issued for section twelve, the northeast quarter of section seventeen, the northeast quarter of section twenty-eight, and the east half of the northeast quarter of section thirty-four, in township four, range eleven, west, in the Huntsville land district, and to select a like quantity in lieu thereof, of any of the public lands of the United States, in said State; and that, on such relinquishment being made by the trustees as aforesaid, patents shall issue to the purchasers from the United States, of said lands, or their assignees. (a)

Trustees of the University of the State of Alabama authorized to surrender the patents issued for section 12, &c., for a seminary of learning, and to receive, &c.

(a) See Nos. 1450, 1452.

No. 1483.—AN ACT for the benefit of the trustees of the Lafayette Academy, in Alabama.

May 24, 1828.
Vol. 6, p. 385.

Be it enacted, &c., That there be granted to the trustees of the Lafayette Academy, in the State of Alabama, and their successors in office, the east half of section thirty-four, and the east half of the southeast and northeast quarters of section twenty-seven, in township four, range ten, west, in the Huntsville land district; to be applied or disposed of by them, for the sole use and benefit of said academy.

Grant of land for the use of the Lafayette Academy.

No. 1484.—AN ACT confirming the reports of the register and receiver of the land office for the district of St. Stephens, in the State of Alabama, and for other purposes.

March 2, 1829.
Vol. 4, p. 358.

Be it enacted, &c., That all the claims to lands and town lots contained in the abstracts denominated A, number one, D, number one, E, number one, F, number one, reported to the Treasury Department by the register and receiver of the land office for the district of Saint Stephens, in the State of Alabama, under the provisions of the act of Congress of the third of March, one thousand eight hundred and twenty-seven, be, and the same are hereby, confirmed to the extent therein recommended for confirmation.

Certain land claims in Alabama confirmed.

SEC. 2. *And be it further enacted,* That all the claims contained in special reports, numbered one to four, inclusive, and in a supplementary report of the said register and receiver, made as aforesaid, be, and the same are hereby, confirmed.

Others confirmed.

SEC. 3. *And be it further enacted,* That every person or persons, or the legal representatives of such person or persons, who, on the fifteenth day of April, one thousand eight hundred and thirteen, had, for ten consecutive years prior to that day, been in possession of a tract of land, not claimed by any other person, and not exceeding the quantity contained in one league square; and who were, on that day, resident in that part of Louisiana situated east of Pearl River, and west of the Perdido, and below the thirty-first degree of north latitude, and had still possession of such tract of land, shall be authorized to file their claim in the manner required in other cases, before the said register and receiver, at Saint Stephens, for their decision thereon. And it

Certain claims to be filed with register and receiver at St. Stephens.

Register and receiver to record evidence in support of claims. shall be the duty of the said register and receiver to hear and record, the evidence offered to support such claim; and if the same shall be established by sufficient proof, agreeably to the provisions of this section, the said officers shall, in their report, recommend the confirmation of the right to such claim, as in other cases: *Provided*, That no more land shall be reported for confirmation, by virtue of this section, than is actually claimed by the party, or than is contained within the acknowledged and ascertained boundaries of the tract claimed; nor shall the provision of this section authorize the confirmation of any land heretofore sold by the United States.

If sufficient evidence, claims to be recommended for confirmation. *Proviso.*

Operation of confirmation.

SEC. 4. *And be it further enacted*, That the confirmation of all the claims provided for by this act shall amount only to a relinquishment for ever, on the part of the United States, of any claim whatever, to the tracts of land and town lots so confirmed, and that nothing herein contained shall be construed to affect the claim or claims of any individual or body politic or corporate, if any such there be.

Register and receiver to direct mode of locating and surveying confirmed claims.

SEC. 5. *And be it further enacted*, That the register and receiver of the land office at Saint Stephens be, and they are hereby, invested with power to direct the manner in which all claims to lands and town lots, which have been confirmed by this and former acts of Congress, in their district, shall be located and surveyed, having regard to the laws, usages, and customs of the Spanish Government on that subject, and also the mode adopted by the Government of the United States, in surveying the claims confirmed by virtue of the second and third sections of an act of Congress, entitled "An act regulating the grants of lands, and providing for the disposal of the lands of the United States, south of the State of Tennessee," approved the third of March, one thousand eight hundred and three; and that so much of the fourth section of the "Act supplementary to the several acts for adjusting the claims to land and establishing land offices in the district east of the island of New Orleans," approved the eighth of May, one thousand eight hundred and twenty-two, as interferes with the power granted to the register and receiver of the land office at Saint Stephens, be, and the same is hereby, repealed.

Certificates and patents to be granted.

SEC. 6. *And be it further enacted*, That certificates of confirmation and patents shall be granted for all lands and town lots confirmed by virtue of the provisions of this act, in the same manner as patents are granted for lands and town lots confirmed under former acts of Congress.

Compensation to receiver at St. Stephens for certain services.

SEC. 7. *And be it further enacted*, That the Secretary of the Treasury be, and he is hereby, authorized and empowered to make such compensation, not exceeding two hundred and fifty dollars, in addition to the sum already paid, to the present receiver of the land office at Saint Stephens, as to him may seem a just and proper equivalent for the services rendered by him in the discharge of the duties under the provisions of an act of Congress passed on the third day of March, one thousand eight hundred and twenty-seven. (a)

(a) See Nos. 713, 723, 1067, 1266, 1268, 1270, 1274, 1276, 1286, 1287, 1292, 1296, 1299, 1300, 1423, 1423, 1424, 1425, 1426, 1430, 1432, 1433, 1435, 1437, 1438, 1439, 1440, 1461, 1479, 1527, 1585.

March 2, 1829.
Vol. 6, p. 398.

No. 1485.—AN ACT for the benefit of the trustees of the Valley Creek Academy, in the State of Alabama.

Trustees authorized to enter certain land, &c.

Be it enacted, &c., That the trustees of the Valley Creek Academy, in the State of Alabama, be, and they are hereby, authorized to enter with the register of the Cahawba land district, in said State, the northwest quarter of section number twenty-six, in township number eighteen, range number ten; and upon paying to the receiver of public moneys for the said district, at the rate of one dollar and twenty-five cents an acre, the said trustees shall be entitled to receive a patent for the said quarter-section, vesting the title to the same in them and their successors for ever.

March 6, 1830.
Vol. 11, p. 770.

No. 1486.—A PROCLAMATION by the President of the United States of America ordering persons to remove from the public lands.

Preamble.

Whereas it has been represented, that many uninformed or evil disposed persons have taken possession of, or made settlement on, the public lands of the United States, within the district of lands subject to sale, at Huntsville, in the State of Alabama, which have not been previously sold, ceded, or leased by the United States, or the claim to which

lands, by such persons, has not been previously recognized and confirmed by the United States; which possession or settlement is, by the act of Congress, passed on the third day of March, one thousand eight hundred and seven, expressly prohibited; and whereas, the due execution of the said act of Congress, as well as the general interest, require that such illegal practices should be promptly repressed:

Now, therefore, I, Andrew Jackson, President of the United States, have thought proper to issue this my proclamation, commanding and strictly enjoining all persons who have unlawfully taken possession of, or made any settlement on, or who now unlawfully occupy any of the public lands within the district of lands subject to sale at Huntsville, in the State of Alabama, as aforesaid, forthwith to remove therefrom; and I do hereby further command and enjoin the marshal, or officer acting as marshal, in that State, where such possession shall have been taken, or settlement made, to remove, from and after the first of September, one thousand eight hundred and thirty, all or any of the said unlawful occupants; and to effect the said service, I do hereby authorize the employment of such military force as may become necessary, in pursuance of the provisions of the act of Congress aforesaid, warning the offenders, moreover, that they will be prosecuted in all such other ways, as the law directs.

In testimony whereof, I have caused the seal of the United States of America to be affixed to these presents, and signed the same with my hand.

Done at the city of Washington, the sixth day of March, in the year of our Lord one thousand eight hundred and thirty, and of the independence of the United States of America the fifty-fourth.

[L. S.]

ANDREW JACKSON.

By the President:

M. VAN BUREN, *Secretary of State*.

Ordering persons to remove from the public lands.

No. 1487.—AN ACT to extend the time for commencing the improvement of the navigation of the Tennessee River.

April 24, 1830.
Vol. 4, p. 397.

Be it enacted, &c., That the time for commencing the improvement of the navigation of the Tennessee River, under an act of Congress "to grant certain relinquished and unappropriated lands to the State of Alabama, for the purpose of improving the navigation, of the Tennessee, Cahawba, and Black Warrior rivers," approved the twenty-third day of May, one thousand eight hundred and twenty-eight, be, and the same is hereby, extended to the first day of December next. (a)

Time for commencing, &c., extended to Dec. 1, 1830.

(a) See Nos. 1481, 1495, 1518, 1524, 1533.

No. 1488.—AN ACT for the benefit of Daniel M'Duff.

April 24, 1830.
Vol. 6, p. 415.

Be it enacted, &c., That Daniel M'Duff be, and he is hereby authorized to locate his warrant for military bounty land, in the county of Jackson, and State of Alabama, so as to include his improvement in Ashburn's Cove, by legal subdivisions, in adjoining tracts, not to exceed in the whole three hundred and twenty acres or half a section.

Authorized to locate his warrant for bounty land in Jackson County, Alabama.

SEC. 2. *And be it further enacted*, That it shall be lawful for the said Daniel M'Duff, upon surrendering to the register of the land office at Huntsville, his said warrant for military bounty land, paying one dollar and twenty-five cents an acre, for the excess over and above three hundred acres of land expressed in said warrant, and making proof before said register of the quarter-section in which said improvement lies, to enter one half-section of land as aforesaid; and thereupon it shall be the duty of said register to issue to said Daniel M'Duff a final certificate of purchase; and to forward the same, together with said warrant, to the Commissioner of the General Land Office, whose duty it shall be to issue a patent or patents for the land so entered.

May enter a half-section, &c.

No. 1489.—AN ACT for the relief of Captain John Woods.

May 28, 1830.
Vol. 6, p. 432.

Be it enacted, &c., That, instead of the reservation of six hundred and forty acres, heretofore surveyed in a square, and allowed to the said John Woods, a Cherokee Indian, in the county of Jackson, in the State of Alabama, the said John Woods be, and he is hereby, allowed to take his reservation, of the like quantity of six hundred and forty acres, in

Certain land allowed him.

the county aforesaid, according to the following metes and bounds, to wit: Beginning at a large poplar, on the State line; thence, south fifteen degrees east, sixty poles, to a stake; thence, south forty-eight degrees east, twenty poles, to a stake; thence, south twenty-seven degrees east, sixty-four poles to a sourwood; thence, south fifty degrees east, forty-eight poles to a dogwood; thence, south sixty-seven degrees east, two hundred and eighty-eight poles, to a white-oak; thence, south seven degrees west fifty-two poles to a white-oak; thence, south forty-one degrees west, fifty-five poles, to a large white-oak; thence, south twenty-four degrees east, twenty poles to a black walnut; thence, west two hundred and six poles to a large white-oak on the south side of the cove; thence, north fifty-nine degrees west, one hundred and four poles, to a hickory; thence, north twelve degrees west, fifty poles, to a Spanish oak; thence, north thirty-one degrees west, thirty-nine poles, to a stake; thence, north eleven degrees west, eighteen poles, to an elm; thence, north thirty degrees west, forty-two poles, to a white-oak; thence, north forty-seven degrees west, thirty-six poles, to a ham-ham; thence, north seventy-seven degrees west, fourteen poles, to a stake above the head of a spring; thence, north forty degrees west, fifty-seven poles, to the edge of the west part of Box's cove, to a small beech; thence, west two hundred and fifteen poles, to a box-elder; thence, north seventy poles, to a beech; thence, east one hundred and thirty poles, to a stake, north fifty degrees east, sixty poles, to a white-oak at the foot of a rocky bluff; thence, east one hundred and sixty poles, to the beginning; *Provided*, That nothing contained in this act shall be construed to authorize the removal of any individual who may have settled upon, and may now occupy, any part of the land included within the metes and bounds aforesaid, without the consent of such occupant.

Proviso.

May 28, 1830.
Vol. 6, p. 433.

No. 1490.—AN ACT for the relief of Alexander Montgomery, John H. Watts, and the administrators of John Wilson, deceased.

J. H. Watts authorized to relinquish a patent and receive another therefor.

Be it enacted, &c., That John H. Watts, of the State of Alabama, be, and he is hereby, authorized to relinquish to the United States, in such manner as the Commissioner of the General Land Office may prescribe, the patent heretofore issued in his favor, for the east half of the northeast quarter of section twenty-one, in township ten, of range twelve, in the Cahaba district; and upon the execution of such relinquishment, the moneys heretofore paid upon the said east half of the northeast quarter, shall be applied to the payment of the west half of the same quarter, and the Commissioner shall cause a patent to be granted therefor.

* * * * *

May 28, 1830.
Vol. 6, p. 435.

No. 1491.—AN ACT for the relief of Wallace Robinson.

Authorized to surrender a certain tract of land, and enter another therefor, &c.

Be it enacted, &c., That Wallace Robinson be, and he is hereby, authorized to surrender to the register of the land office at St. Stephen's, Alabama, the patent which issued to him on the twentieth day of October, one thousand eight hundred and twenty-three, for the west half of the southwest quarter of section twenty-nine, in township seventeen, of range one east, in the district east of Pearl River, in the said State; and that the said Wallace Robinson be authorized, in lieu thereof, to enter with said register the west half of the southwest quarter of section twenty-nine, in township seventeen, of range two east, in the same district, for which a patent shall issue: *Provided*, That the said last-named half quarter-section shall remain unsold and unappropriated, and that the said Wallace Robinson shall, at the time of surrendering said patent for the first-named half quarter-section, file therewith a release of all title to the same.

Proviso.

May 29, 1830.
Vol. 6, p. 441.

No. 1492.—AN ACT to relinquish the reversionary interest of the United States in certain Indian reservations in the State of Alabama.

Certain reversionary interests.

Be it enacted, &c., That all the right, title, and interest, which might accrue or revert to the United States, to the reservations of land now claimed and possessed by Conaleskee, commonly called Challenge, James Ore, and Giles McAnulty and his wife Alice, and William Wilson and his wife Peggy Wilson, under a treaty made and concluded between the

United States and the Cherokee tribe of Indians, on the eighth day of July, one thousand eight hundred and seventeen; and all the right, title, and interest, which might accrue or revert to the United States, to reservations of land, now claimed and possessed by George Stiggins and Arthur Sizemore, under a treaty made and concluded between the United States and the Creek Indians, at Fort Jackson, on the ninth day of August, one thousand eight hundred and fourteen, all lying in the State of Alabama, be, and the same are hereby, relinquished, and vested in the said reservees, and their heirs, respectively: *Provided*, That the said Conaleskee, commonly called Challenge, James Ore, Giles McAnulty, and William Wilson, George Stiggins, and Arthur Sizemore, with their respective families, shall remove to their respective tribes west of the Mississippi River, not included within any State or Territory; and that the Government of the United States shall not be chargeable with the expense of their removal or transportation, or with any allowance of land to, or on account of either of them, or their respective families; *And provided, also*, That no conveyance or deed of the said lands, or any part of them, shall be valid or effectual, until every such conveyance or deed shall be submitted to one of the district attorneys for the district of Alabama, for his approbation; and if, after inquiry into the facts and circumstances attending the contracts for the sale of any of the said lands, he shall be satisfied that such contracts are fair, and that the consideration paid, or agreed to be paid therefor, is adequate, he shall indorse his approbation on each conveyance and deed so approved; and, thereafter, the same [shall] be deemed valid and effectual. (a)

(a) See Nos. 1577, 1580.

Relinquished.
Proviso.

Proviso.

No. 1493.—AN ACT for the relief of John Glass.

May 29, 1830.
Vol. 6, p. 443.

Be it enacted, &c., That, whenever John Glass, of Lawrence County, Alabama, shall produce to the register and receiver of public moneys in the land office at Huntsville, in said State, satisfactory evidence that he is equitably entitled to the northeast quarter of section four in township five, of range seven west, in the district of land sold at Huntsville, and shall pay to the said receiver of public moneys the balance of the purchase money due on said quarter-section, without interest, and deducting therefrom thirty-seven and a half per centum, the said John Glass shall be entitled to receive a patent for the said quarter-section: *Provided*, Said Glass shall make said proof, and pay said balance, with the deduction aforesaid, on or before the first day of January next; and that the patent hereby directed to be issued shall only operate as a relinquishment from the United States, as far as regards the moiety which might have been claimed by Alexander McQuie.

Land patent to
issue on certain
conditions.

Proviso.

SEC. 2. *And be it further enacted*, That the said John Glass may, under the conditions and restrictions contained in the foregoing section, in his election, avail himself of the provisions of "An act for the relief of purchasers of public lands, and for the suppression of fraudulent practices at the public sales of the lands of the United States," passed at the present session of Congress.

May avail him-
self of the pro-
visions of the act
of March 31, 1830.

No. 1494.—AN ACT to amend an act, entitled "An act to provide for paying to the States of Missouri, Mississippi, and Alabama, three per centum of the net proceeds arising from the sale of the public lands within the same.

Jan. 19, 1831.
Vol. 4, p. 432.

[See MISSOURI, No. 1015.]

No. 1495.—AN ACT to amend the act granting "certain relinquished and unappropriated lands to the State of Alabama, for the purpose of improving the navigation of the Tennessee, Coosa, Cahawba, and Blackwarrior rivers," approved the twenty-third day of May, one thousand eight hundred and twenty-eight.

Feb. 12, 1831.
Vol. 4, p. 441.

Be it enacted, &c., That it shall and may be lawful for the State of Alabama, by the board of canal commissioners appointed by her for that purpose, to contract for and construct that part of the canal round the Muscle Shoals, beginning at Campbell's Ferry, and running up the river to Lamb's Ferry, before they contract for, or complete that part of the said contemplated canal between Campbell's Ferry and Florence; any thing in the act to which this is an amendment to the contrary notwithstanding.

State of Ala-
bama authorized
to contract, &c.

United States
engineers to fur-
nish plan.

SEC. 2. *And be it further enacted*, That it shall be the duty of the engineers of the United States who have this matter in charge, to furnish to said board of commissioners, as soon as practicable, a plan of that section of the canal above contemplated first to be executed, connecting it with the river at or near to Campbell's Ferry, and at the most eligible point at, or immediately below Lamb's Ferry, on the cheapest practicable plan, in conformity with said original act, to be approved by the President of the United States.

Plan pro-
scribed.

SEC. 3. *And be it further enacted*, That the section of said canal above Lamb's Ferry, shall, by said engineers, be so planned as to connect it with the deep water in the river at or above Lamb's Ferry; and the section below Campbell's Ferry, shall, in like manner, be connected with the deep water at or below said last-mentioned ferry. (a)

(a) See Nos. 1481, 1487, 1518, 1524, 1533.

Feb. 12, 1831.
Vol. 6, p. 452.

No. 1496.—AN ACT for the relief of William Smith, administrator of John Taylor, deceased.

Relinquish-
ment of certain
land to be can-
celed.

Be it enacted, &c., That the register of the land office at Cahaba be, and he is hereby, authorized and directed to cancel the relinquishment made by the said William Smith, as administrator of John Taylor, deceased, on the thirty-first day of March, one thousand eight hundred and twenty-five, of the west half of the southwest quarter of land, of section fifteen, in township ten, of range fourteen, in Butler County, in the State of Alabama, and which still remains unsold by the United States; and that he be authorized and directed to deliver over the certificate therefor to the said William; and the said William Smith is authorized and empowered to dispose of the same by assignment or otherwise, in as full and ample manner, to all intents and purposes, which he might or could have done before the relinquishment thereof; and that all the benefits and privileges given by this act to the said William Smith shall be given and extended to his assignee or assignees; and that the said William Smith, or his assignee or assignees, be allowed to hold the same, free from forfeiture for twelve months from the passage of this law: *Provided, nevertheless*, That the said William Smith, shall, before he be entitled to the benefit of this act, pay over to the receiver of public moneys at Cahaba, the sum of ninety-nine dollars and ninety-eight and a quarter cents, that being the full amount of money which had been paid thereon previous to the relinquishment, and which has been transferred and credited on other lands purchased by his intestate in his lifetime.

Proviso.

Feb. 19, 1831.
Vol. 4, p. 444.

No. 1497.—AN ACT to alter and amend "An act to set apart and dispose of certain public lands for the encouragement of the cultivation of the vine and olive."

Persons enti-
tled to lands un-
der, &c.

Be it enacted, &c., That all persons entitled to lands, under a contract entered into, on the eighth of January, eighteen hundred and nineteen, by the Secretary of the Treasury on the part of the United States, and Charles Villar, agent of the Tombechee Association, in pursuance of "An act to set apart and dispose of certain public lands for the encouragement of the cultivation of the vine and olive," approved on the third of March, eighteen hundred and seventeen, their heirs, devisees or assigns, who appear by the report of William L. Adams, special agent of the Treasury, appointed in compliance with a resolution of the Senate, passed the twentieth of May, eighteen hundred and twenty-six, to have complied with the conditions of settlement and cultivation, as stipulated for in said contract, or who shall hereafter make it appear to the satisfaction of the Secretary of the Treasury, that they have so complied, shall, on paying into the Treasury one dollar and twenty-five cents the acre previous to the third of March, eighteen hundred and thirty-three, receive a patent for the same.

Who appear,
&c., to have pre-
emption right.

Other persons
to have same
right.

SEC. 2. *And be it further enacted*, That all persons who became entitled to an allotment of land under said contract, their heirs, devisees or assigns, who have failed to comply with the conditions of settlement and cultivation within the period required thereby, who at the time of the passage of this act shall be in the actual occupancy and cultivation of the same, shall, on paying into the Treasury one dollar and twenty-five [cents] the acre, previous to the third of March, eighteen hundred and thirty-three, receive a patent for the same.

SEC. 3. *And be it further enacted,* That the widow and children of any person who became entitled to an allotment of land under said contract, and died without performing the conditions required, shall, on paying into the Treasury one dollar and twenty-five cents per acre, previous to the third of March, eighteen hundred and thirty-three, receive a patent for the same. (a)

(a) See Nos. 1444, 1458, 1521, 1543.

No. 1498.—AN ACT confirming the claim of John B. Toulmin to a lot in the city of Mobile.

March 2, 1831.
Vol. 6, p. 460.

Be it enacted, &c., That John B. Toulmin be, and he is hereby, confirmed in his claim to a lot in the city of Mobile, bounded west by Saint Joseph street, north by Saint Anthony street, and on the east by Royal street, originally granted to John Linder: *Provided, however,* That nothing in this act contained shall be so construed as to prevent adverse claimants from asserting their rights, in a court of justice.

Claim to a lot in Mobile confirmed.
Proviso.

No. 1499.—AN ACT to ascertain and mark the line between the State of Alabama and the Territory of Florida, and the northern boundary of the State of Illinois, and for other purposes.

March 2, 1831.
Vol. 4, p. 479.

Be it enacted, &c., That the President of the United States be, and he is hereby, authorized to cause to be run and marked the boundary line between the State of Alabama and the Territory of Florida, by the surveyors-general of Alabama and Florida, on the thirty-first degree of north latitude; and it shall be the duty of the surveyor-general of Florida to connect the public surveys on both sides with the line so run and marked. (a)

Boundary.

SEC. 2. *And be it further enacted,* That patents shall be issued for such tracts of land as were sold and paid for at the land office at Tallahassee, in the Territory of Florida, as are found to be situate within the limits of the district of lands subject to sale at Sparta, in Alabama, agreeably to the terms of the act organizing that district; and the said entries and sales shall be as valid, in every respect, as if they had been made in the land district of Alabama. (b)

Certain patents to issue.

(a) See Nos. 707, 1264, 1265, 1285, 1420, 1421, 1427, 1431, 1443, 1452, 1458.

(b) See Nos. 718, 1266, 1279, 1422, 1423, 1430, 1450, 1456, 1511, 1523, 1568, 1574.

No. 1500.—AN ACT to create the office of surveyor of the public lands for the State of Louisiana.

March 3, 1831.
Vol. 4, p. 492.

[Maps, records, &c., relating to lands in Alabama, to be delivered to surveyor for the State of Alabama. See LOUISIANA, No. 777.]

No. 1501.—AN ACT for the relief of Dixon Spears.

Jan. 19, 1832.
Vol. 6, p. 472.

Be it enacted, &c., That Dixon Spears, of the county of Laurens, in the State of Alabama, be, and he is hereby authorized, to surrender to the register and receiver of the land office at Huntsville, in said State of Alabama, the certificate heretofore issued to him, for the west half of the northeast quarter of section twenty-three, township six, and range eight, west of the meridian of Huntsville, which was purchased by him through mistake; and said Dixon Spears on filing his relinquishment to all right and title thereto, is authorized to enter in the said land office at Huntsville, the east half of the northeast quarter, in the township and range aforesaid, and in payment therefor, shall be credited with the amount of money which was paid for the tract first named: *Provided,* That said half quarter-section shall remain unsold until application to purchase be made by said Spears, and in the event that it shall have been sold before such application, then said Dixon Spears shall be entitled to a certificate from the register and receiver, stating the amount which has been by him so paid by mistake, which shall be received in payment for any land of the United States, which may hereafter be offered for sale.

Authorized to surrender a section certificate, &c.

Proviso.

Feb. 18, 1832.
Vol. 6, p. 474.

No. 1502.—AN ACT for the relief of John Proctor.

Authorized to
surrender land
certificate, &c.

Be it enacted, &c., That John Proctor, of the county of Perry, in the State of Alabama, be, and he is hereby authorized to surrender the certificate issued to him from the land office at Cahawba, in said State, for the east half of the northwest quarter-section twenty-six, township twenty, range seven, east of the meridian, which was entered by him through mistake; and on filing his relinquishment to all right and title thereto, said John Proctor is authorized to enter in said land office at Cahawba, the east half of the northwest quarter-section twenty-seven, in township twenty, and range seven; and in payment therefor, shall be credited with the amount of money which was paid for the tract first named.

Feb. 24, 1832.
Vol. 6, p. 476.

No. 1503.—AN ACT for the relief of the heirs of William Robertson, deceased, and Daniel S. Leonard.

Robertson au-
thorized to sur-
render certificate
of further credit,
&c.

Be it enacted, &c., That the heirs of William Robertson, late of Madison County, Alabama, deceased, be, and they are hereby, authorized to surrender, in the land office at Huntsville, in the State aforesaid, the "certificate of further credit," bearing date on the seventh of September, one thousand eight hundred and twenty-one, which issued to the said William Robertson, in his lifetime, for the northeast quarter of section number four, in township number one, of range number two east, in the district of lands offered for sale at Huntsville; and, on the payment of the balance due, if any, under the act of Congress, entitled "An act supplemental to an act, passed on the thirty-first March, eighteen hundred and thirty, entitled 'An act for the relief of purchasers of public lands, and for the suppression of fraudulent practices at the public sales of lands of the United States,'" passed on the twenty-fifth day of February, eighteen hundred and thirty-one, the said heirs of the said William Robertson, deceased, shall be entitled to a patent for the said quarter-section of land, in all respects, as they would have been if said certificate had been surrendered, and such balance paid, at or before the expiration of the time limited for that purpose by the provisions of said act: *Provided*, Said quarter-section of land shall not have been, before such surrender of said certificate, purchased by any other person; and, in that event a certificate shall issue to said heirs from said land office, for the full amount which may have been paid by the said Robertson, in his lifetime, which shall be received in payment for any land of the United States which may be hereafter sold.

Proviso.

D. S. Leonard
authorized to
avail himself of
act of Feb. 25,
1831.

SEC. 2. *And be it further enacted*, That Daniel S. Leonard, who was the purchaser of the northeast quarter of section twenty-two, in township one, of range one, east of the basis meridian of lands offered for sale at Huntsville, Alabama, be, and he is hereby, authorized to avail himself of the provisions of the act referred to in the foregoing section of this act, which was passed on the twenty-fifth day of February, one thousand eight hundred and thirty-one, under the limitations and restrictions prescribed for the heirs of the said William Robertson, deceased.

March 15, 1832.
Vol. 6, p. 479.

No. 1504.—AN ACT for the relief of Robert Jones and William A. Fleming.

Robert Jones
authorized to
surrender land
certificate, &c.

Be it enacted, &c., That Robert Jones, of the county of Jackson, in the State of Alabama, be, and he is hereby, authorized to surrender the certificate which heretofore issued to him from the land office at Huntsville, in said State, for the southeast quarter of fractional section number eleven, in township number one, of range number eight, east of the meridian, which was entered by him through mistake; and, on filing therewith his relinquishment of all right and title thereto, said Robert Jones is authorized to enter in the said land office, at Huntsville, the southeast quarter of fractional section number fourteen, in the township and range aforesaid, and, in payment therefor, shall be credited to the amount of money which was paid for the tract, or quarter-section first named: *Provided*, The said last-mentioned quarter-section shall remain unsold till application to purchase be made by said Jones; and, in the event that said last-named quarter-section shall have been sold before such application, then said Robert Jones shall be entitled to a certificate for the amount which has been so paid by mistake on the first-named tract, which shall be received in payment for any other land of the United States which may be hereafter sold.

Proviso.

No. 1505.—AN ACT for the relief of William Williamson.March 15, 1832.
Vol. 6, p. 481.

Be it enacted, &c., That it shall and may be lawful for the register and receiver of the land office at St. Stephens, to correct the mistake committed by William Williamson in the relinquishment made by him, the tenth September, one thousand eight hundred and twenty-one, of the west half instead of the east half of fractional section number six, township number nine, range number seventeen west; and upon the said Williamson surrendering the original grant for the east half of said fractional section which has issued to him in consequence of the mistake aforesaid, the register and receiver shall apply the money heretofore paid into the land office to the west half of said fractional section, and give to the said Williamson the certificate of payment necessary to enable him to obtain a grant from the United States for the said west half of said fractional section: *Provided,* That nothing herein shall be so construed as to affect the claim of any other person to the said tract of land.

Mistake in relinquishment of land to be corrected.

Proviso.

No. 1506.—AN ACT for the relief of Thomas Dennis, and the legal representative of Asa Hartfield.March 31, 1832.
Vol. 6, p. 483.

Be it enacted, &c., That the Commissioner of the General Land Office cause to be issued to Thomas Dennis, of the State of Alabama, patents for the following tracts of land; the east half of the northwest quarter of section number nine, in township number twenty-two, range one, east; and the east half of the southwest quarter of section number four, in the township and range above described. The said tracts of land, having been purchased by said Dennis, at the land office at St. Stephen's, and full payment made thereon; but from some informality or mistake in said office, the patents have been withheld.

Patents for land to be issued to T. Dennis.

* * * * *

No. 1507.—AN ACT confirming to Joshua Kennedy, his claim to a tract of land in the city of Mobile.May 5, 1832.
Vol. 6, p. 485.

Be it enacted, &c., That Joshua Kennedy, of the city and county of Mobile, in the State of Alabama, be, and he is hereby, confirmed in his claim to a tract of land, containing twenty and twenty-eight hundredths arpens, situate in the south part of the city of Mobile, which said claim is designated as "claim number ten, in abstract A, number two" of the report made to the Secretary of the Treasury on the twenty-ninth of February, one thousand eight hundred and twenty-eight, by the commissioners appointed under the act of Congress of third March, one thousand eight hundred and twenty-seven, entitled "An act supplementary to the several acts providing for the adjustment of land claims in the State of Alabama."

Land claim confirmed.

SEC. 2. *And be it further enacted,* That the Commissioner of the General Land Office be, and he is hereby, authorized and required, on a return of the survey of the above-mentioned tract of land, by the surveyor of the lands of the United States in the State of Alabama, to issue a patent for the same, to the said Joshua Kennedy, or his legal representatives, or to any person legally claiming under him or them: *Provided, however,* That the confirmation of this claim, and the patent provided to be issued, shall not be held to interfere with any part of said tract which may have been disposed of by the United States previous to the passage of this act; and this act shall be held to be no more than a relinquishment of whatever title the United States may now have to such tract of land.

Patent to be issued.

Proviso.

No. 1508.—AN ACT for the relief of James W. Hill, Elijah Hill, and Philip Barnes.May 31, 1832.
Vol. 6, p. 492.

Be it enacted, &c., That the said James W. Hill, Elijah Hill, and Philip Barnes, be, and they are hereby, authorized to surrender the certificate for the southwest quarter of section number thirty-six, in township number three, of range number five, west of the basis meridian of Huntsville, Alabama, and relinquish all claim thereto in the land office of said place; and, instead thereof, to enter the southeast quarter of section number thirty-five, in the same township and range, which was heretofore relinquished by them through mistake; and they shall be credited, in the payment of said last-named quarter-section, the amount

Authorized to surrender land certificate, &c.

Proviso.

which has been by them paid on the said first-named quarter-section: *Provided*, The said quarter of section number thirty-five shall remain unsold till they apply for the same; and, if sold, they shall receive a certificate for the amount paid on said first-named quarter, which shall be received in payment for any land of the United States hereafter sold.

May 31, 1832.
Vol. 6, p. 493.

No. 1509.—AN ACT for the relief of William R. Pickett.

Certificate of
land scrip to be
issued.

Be it enacted, &c., That the register and receiver of the land office at St. Stephen's, in Alabama, be, and they are hereby, authorized to issue to William R. Pickett a duplicate of a certificate of forfeited land scrip, number six thousand five hundred and thirty-nine, for the northwest quarter of section thirty-three, township eleven, range three, west, for the sum of seventy-nine dollars and sixty-five cents, dated the twelfth of October, one thousand eight hundred and twenty-nine, which certificate was originally issued to the representative of George Buckhannan, and by him, for a valuable consideration, assigned to William R. Pickett, and which has been lost or destroyed; and the said duplicate shall have all the effect, and be receivable at the land offices in the same manner, as the original certificate of scrip.

June 15, 1832.
Vol. 6, p. 496.

No. 1510.—AN ACT for the relief of Hopkins Rice.

Authorized to
enter certain
land.

Be it enacted, &c., That Hopkins Rice be hereby authorized to enter and locate a half quarter-section of land of the public land in the State of Alabama, which may be subject to entry at private sale, in lieu of the west half of northeast quarter of section numbered two, township numbered twenty-two, range numbered one west, containing seventy-six and twenty-eight hundredths acres of land, entered by him by mistake, on the twenty-seventh day of December, one thousand eight hundred and twenty-eight, for which half quarter-section when entered, a patent shall issue as in other cases: *Provided*, The said Hopkins Rice file in the proper land office a relinquishment to the United States of the said half quarter-section of land entered by mistake as aforesaid.

Proviso.

July 10, 1832.
Vol. 4, p. 571.

No. 1511.—AN ACT to establish additional land districts in the State of Alabama, and for other purposes.

Two land dis-
tricts establish-
ed.

Be it enacted, &c., That the tract of country in the State of Alabama ceded to the United States by a treaty concluded with the Creek tribe of Indians, at the city of Washington, on the twenty-fourth day of March, one thousand eight hundred and thirty-two, shall be divided into, and constitute two land districts, by extending through the same, east and west, the line between township number twenty-two, south of the base line of the Huntsville district, and township number twenty-four, north of the thirty-first degree of latitude.

Land office for
Talapoosa dis-
trict.
For the Coosa
district.

SEC. 2. *And be it further enacted*, That all the land in said ceded territory, south of said dividing line, shall be sold at the town of Montgomery, and said district shall be called the Talapoosa district; and all the land in said ceded territory, north of said dividing line, shall be sold at the town of Montevallo, and said district shall be called the Coosa district: *Provided, however*, That the President of the United States may, if he shall deem it expedient, remove either, or both, of the said land offices to any other point in the respective districts, for which they are established.

Proviso.

Registers and
receivers to be
appointed.

SEC. 3. *And be it further enacted*, That there shall be a register and receiver appointed to each of the aforesaid land offices, to superintend the sales of the public lands in their respective districts, who shall reside at the places designated, give security in the same manner, in the same sums, and whose compensation, emoluments, and duties, and authority, shall, in every respect, be the same in relation to the lands which shall be disposed of at their offices as are, or may be, provided by law in relation to the registers and receivers of public moneys in the several offices established for the sale of the public lands.

Plats of sur-
veys to be depos-
ited.

SEC. 4. *And be it further enacted*, That it shall be the duty of the Secretary of the Treasury, as soon as the same can be done, to cause the proper plats of the surveys of said districts to be deposited in the land offices intended for them respectively.

SEC. 5. *And be it further enacted,* That the compensation of the registers and receivers, to be appointed for the land districts hereby established, shall not commence till after the surveys shall have been completed. Pay of register and receiver to begin when surveys are completed.

SEC. 6. *And be it further enacted,* That all that portion of country acquired by the treaty with the Choctaw nation of Indians, within the State of Alabama, south of township nineteen, shall be offered for sale at the Saint Stephen's land office, and the residue shall be attached to the Tuscaloosa land district, and be offered for sale at that place. (a) Country acquired by Choctaw treaty attached to separate district.

(a) See Nos. 718, 1266, 1279, 1422, 1428, 1430, 1450, 1456, 1499, 1523, 1568, 1574.

No. 1512.—AN ACT for the relief of Joseph Kamber.

July 13, 1832.
Vol. 6, p. 507.

Be it enacted, &c., That the Commissioner of the General Land Office of the United States, at Washington City, be, and he is hereby, required (on Joseph Kamber's relinquishing to the United States all his right and title to the northwest quarter of section number four, township number seventeen, and range number three east, situated and being in the St. Stephen's land district, Alabama, entered by the said Joseph Kamber, in the name of James B. May, by mistake) to issue scrip in favor of the said Joseph Kamber, for the sum of one hundred and ninety-five eighty-four hundredths dollars, receivable in any of the land offices of Alabama, in payment for any of the public lands that now is, or hereafter may be, subject to sale or entry in said State. Scrip to be issued for the sum of \$195.84, on his relinquishing, &c.

No. 1513.—AN ACT for the relief of Joseph Elliott.

July 13, 1832.
Vol. 6, p. 507.

Be it enacted, &c., That all right, title and interest, which the United States possess in the reservation made to Joseph Elliott of lands within the tract of country ceded to the United States by the treaty of the twentieth December, one thousand eight hundred and seventeen, with the Cherokee nation of Indians, be, and the same is hereby, vested in the said Joseph Elliott: *Provided,* That only six hundred and forty acres, shall be granted by virtue of this act: *And provided, also,* That the said Joseph Elliott with his family, shall remove to the Cherokee tribe west of the Mississippi River; and that the Government of the United States shall not be chargeable with the expense of their removal or transportation, or with any allowance of land to, or on account of the said Elliott, or his family, or for the support of either after their arrival in the country of said tribe: *And provided, also,* That no conveyance or deed, of the said lands, or any part thereof, shall be valid or effectual, until such conveyance, or deed, shall be submitted to one of the district attorneys of the districts of Alabama, for his approbation; and if, after inquiry into the facts and circumstances attending the contract for the sale of said lands, he shall be satisfied that such contract is fair, and the consideration paid, or agreed to be paid therefor, is adequate, he shall endorse his approbation on such conveyance and deed so approved, and thereafter the same shall be deemed valid and effectual. Right of United States in a certain reservation of land vested in him.
Proviso.
Proviso.

Proviso.

No. 1514.—AN ACT for the relief of Walter Cockburn.

July 13, 1832.
Vol. 6, p. 508.

Be it enacted, &c., That the President of the United States be, and he is hereby, authorized to issue patents to Walter Cockburn, for lots numbered twenty-nine, thirty-two, sixty-seven, and thirty-three, as designated in the plan of a town laid off at York Bluff, in the State of Alabama, and purchased by said Cockburn at the public sale of said four lots. Land patents to issue.

No. 1515.—AN ACT for the relief of Jacob C. Jordan.

July 13, 1832.
Vol. 6, p. 509.

Be it enacted, &c., That the Commissioner of the General Land Office cause a patent to be issued to Jacob C. Jordan, for the northeast quarter of section twenty-seven, township eighteen, range two east, in the St. Stephen's land district, in the State of Alabama, upon his surrendering the patent heretofore issued to him for the southwest quarter in the above-named section, township, and range. Land patent to issue.

July 14, 1832.
Vol. 4, p. 603.

No. 1516.—AN ACT to authorize the sale of lands reserved from sale at Fort Jackson, in the State of Alabama.

Sale of land authorized.

Be it enacted, &c., That the President of the United States be, and he is hereby authorized to offer for sale, the lands heretofore reserved from sale at Fort Jackson, in the State of Alabama.

Settlers on said lands, who, prior to 1830, cultivated, &c., allowed to enter, &c.

SEC. 2. *And be it further enacted,* That every settler on said lands, who, prior to the year one thousand eight hundred and thirty, cultivated any part thereof, and is now in possession of the same, shall be allowed to enter at the proper land office, one quarter-section, according to the provisions of the first section of an act to grant pre-emption rights to settlers on public lands, approved May twenty-ninth, one thousand eight hundred and thirty. (a)

(a) See Nos. 433, 730, 1266, 1279, 1281, 1293, 1301, 1323, 1422, 1428, 1429, 1436, 1441, 1448, 1450, 1470, 1545, 1598, 1602, 1609, 1618.

July 14, 1832.
Vol. 6, p. 519.

No. 1517.—AN ACT for the relief of William D. Gaines and William M. King.

Title of United States to certain reservations of land relinquished in their favor.

Be it enacted, &c., That all the right, title, and interest, which now has, or might hereafter accrue, or revert to the United States, to a certain reservation of six hundred and forty acres of land in the county of Jackson, in the State of Alabama, granted to one Thomas Jones, the head of an Indian family, under stipulations in the treaties of one thousand eight hundred and seventeen, and one thousand eight hundred and nineteen, between the United States and the Cherokee nation east of the Mississippi, and which was heretofore sold and conveyed, by said Jones, to William D. Gaines, and part of which has, by him, been sold to, and is now in possession of, William M. King, be, and the same are hereby, relinquished to the said William D. Gaines and William M. King, respectively: *Provided,* That nothing in this act contained shall be so construed as, in any manner, to affect any right of the wife or children of said Jones, in law or equity, which may exist in consequence of any fraud, or unfairness, which may have been practised in obtaining the conveyance from said Jones and his wife and children: nor shall the absence of said Jones, from said reservation, during his life, or at the time of his death, be held, in any manner, to affect the claim of himself or family to said reservation.

Proviso.

July 16, 1832.
Vol. 4, p. 604.

No. 1518.—AN ACT supplemental to the act "granting certain relinquished and unappropriated lands to the State of Alabama, for the purpose of improving the navigation of the Tennessee, Coosa, Cahaba, and Black Warrior rivers," approved the twenty-third day of May, one thousand eight hundred and twenty-eight.

Plan for improvement of Tennessee River authorized to be altered.

Be it enacted, &c., That it shall and may be lawful for the State of Alabama to alter the plan for the improvement on the Tennessee River below Florence, by canalling instead of sluicing, so as to accomplish the object which Congress had in view in making the appropriation: *Provided,* That not more than one hundred and fifty thousand dollars, including the sum already expended on that part of the river, shall be expended below the said town of Florence. (a)

Proviso.

(a) See Nos. 1481, 1487, 1495, 1524, 1533.

Jan. 30, 1833.
Vol. 6, p. 530.

No. 1519.—AN ACT for the relief of George Mayfield.

Section of land granted to him under treaty of Fort Jackson.

Be it enacted, &c., That there be, and is hereby, granted to George Mayfield, of the State of Tennessee, six hundred and forty acres of land, or to the amount of one section, to be selected by him in the tract of country within the State of Alabama, acquired of the Creek nation, at the treaty of Fort Jackson, in tracts not less than one quarter-section, and entered in the proper land office in said State: *Provided,* Said land be subject to entry at private sale, and not settled upon, or occupied by any other person.

Proviso.

Patent to be issued.

SEC. 2. *And be it further enacted,* That, on the application of said Mayfield, at the proper land office, and on payment of one dollar for each tract so entered, to the register and receiver, a final certificate shall be given for such tract, upon which a patent from the United States to said Mayfield, shall issue. (a)

(a) See Nos. 1376, 1381, 1390.

No. 1520.—AN ACT authorizing the Commissioner of the General Land Office to issue patents to persons therein named.

Feb. 5, 1833.
Vol. 6, p. 531.

Be it enacted, &c., That the Commissioner of the General Land Office be, and he is hereby, directed to issue patents, in fee-simple, to William Hardridge, or to his assignees or legal representatives, upon producing the certificates, for the south part of fractional section twenty-five, in township eight, of range twenty-nine, containing two hundred and twenty-six acres and ninety-seven hundredths of an acre; also, for the north fractional half, and the east part of the south fractional half of section thirty-one, in township eight, of range thirty, containing four hundred and thirteen acres and three hundredths of an acre, in the district of land sold at Sparta, Alabama; being the same lands reserved by him.

Patent for land
to issue to Wm.
Hardridge.

SEC. 2. *And be it further enacted,* That the Commissioner aforesaid be, and he is hereby, directed to issue patents to Joseph Hardridge, or to his assignees or legal representatives, upon the certificates being produced, for the north part of fractional section twenty-five, in township eight, of range twenty-nine, containing two hundred and twenty-six acres and ninety-seven hundredths of an acre; and, also, for the east part of fractional section six, in township seven, of range thirty, containing four hundred and thirteen acres and three hundredths of an acre, in the district of lands sold at Sparta, Alabama; being the same lands reserved by him.

Also, to J.
Hardridge.

No. 1521.—AN ACT to amend an act, entitled "An act to alter and amend an act to set apart and dispose of certain public lands for the encouragement of the cultivation of the vine and olive;" approved nineteenth February, one thousand eight hundred and thirty-one.

Feb. 19, 1833.
Vol. 4, p. 611.

Be it enacted, &c., That all persons who became entitled to an allotment of land under the contract recited in the first section of the act to which this is an amendment, their heirs, devisees, or assigns, who, on or before the thirty-first day of October, in the year eighteen hundred and thirty-two, were in the actual occupancy and cultivation of the same, or any part thereof, shall, on paying into the Treasury one dollar and twenty-five cents the acre previous to the fifteenth of May, one thousand eight hundred and thirty-four, receive a patent for his or her allotment or purchase: *Provided,* The register of the land office for the district in which the lands lie, shall be satisfied of the validity of the purchase.

Occupants prior
to October 31,
1832, authorized
to purchase.

SEC. 2. *And be it further enacted,* That all persons in actual settlement and cultivation, before or on the thirty-first day of October, one thousand eight hundred and thirty-one, upon any of the lands referred to by the act to which this is an amendment, and not disposed of by the first section of this act, or any former act of Congress, shall, on proof of such settlement and cultivation, and on paying into the Treasury of the United States, within six months after the passage of this act, one dollar and twenty-five cents per acre, receive a patent for one hundred and sixty acres: *Provided,* That nothing in this act shall be so construed as to alter or repeal the third section of the above-recited act.

Occupants prior
to October 31,
1831, authorized
to purchase.

SEC. 3. *And be it further enacted,* That so much of the act of which this is an amendment as requires that payment shall be made previous to the third of March, eighteen hundred and thirty-three, be, and the same is hereby, extended to the fifteenth of May, one thousand eight hundred and thirty-four. (a)

Proviso.

Term of pay-
ment extended.

(a) See Nos. 1444, 1458, 1497, 1543.

No. 1522.—AN ACT for the relief of Abraham Adams.

Feb. 20, 1833.
Vol. 6, p. 535.

Be it enacted, &c., That it shall be lawful for Abraham Adams, of the State of Alabama, to surrender to the United States, at the land office at Cahawba, in said State, the certificate of purchase which he holds for the west half of the northwest quarter of section thirteen, township twelve, and range seventeen, in the said district of Cahawba, and which tract of land was entered and paid for by the said Adams, in May, one thousand eight hundred and thirty-one, by mistake, he, the said Adams, intending to have entered the corresponding tract, in township eleven, upon which he then and still resides.

Certificate of
land purchase to
be surrendered.

Authorized to enter land, &c.

SEC. 2. *And be it further enacted*, That the register and receiver for the said district shall permit the said Abraham Adams to enter, upon the same terms on which the entry aforesaid was made, the west half of the northwest quarter of section thirteen, township eleven, range seventeen, and issue to him a certificate therefor, and apply the money paid under the former entry, to the payments of the land herein authorized to be entered, and in case said west half of the northwest quarter of section thirteen, township eleven, range seventeen, shall have been entered, the register upon the surrender of the original certificate of purchase, shall issue to said Adams a certificate, or scrip, for the amount paid, which shall be received in payment of any other lands within said district, now subject to private entry.

March 2, 1833.
Vol. 4, p. 653.

No. 1523.—AN ACT to create sundry new land offices, and to alter the boundaries of other land offices of the United States.

Demopolis district.

SEC. 7. *And be it further enacted*, That all the lands situated south of the district line, and south of the dividing line between townships twenty and twenty-one, and north of the line dividing townships eleven and twelve, and west of the line dividing ranges nine and ten west, to the west boundary line of the State of Alabama, shall constitute a land district, to be known and called the Demopolis district.

Lands in Green and Marengo Counties to be subject to sale at Demopolis land office.

SEC. 8. *And be it further enacted*, That the lands in the United States in the counties of Green and Marengo, now subject to sale in the Tuscaloosa, Cahawba, and Saint Stephen's land districts, as comprehended in the above-described district, * * * shall, from and after the first day of June next, be subject to sale at the land office in the said Demopolis land district; and it shall be the duty of the registers at Tuscaloosa, Cahawba, and Saint Stephen's, under instructions from the Commissioner of the General Land Office, to transfer all such books, maps, records, field-notes, and plats, or transcripts thereof, relating to the surveys of the public lands hereby added to the said Demopolis land district, to the register of the Demopolis land district.

Register and receiver for Demopolis district.

SEC. 9. *And be it further enacted*, That there shall be a register and receiver appointed for the said land district, with the same compensation, fees, and emoluments, and who shall perform all the duties usually performed by registers and receivers appointed to superintend the sale of the public lands of the United States. (a)

(a) See Nos. 718, 1266, 1279, 1422, 1428, 1430, 1450, 1456, 1499, 1511, 1568, 1574.

March 2, 1833.
Vol. 4, p. 663.

No. 1524.—AN ACT further to extend the powers of the board of canal commissioners for the improvement of the Tennessee River in the State of Alabama.

Commissioners to suspend improvement of Tennessee River.

Be it enacted, &c., That the commissioners appointed by the State of Alabama to superintend the improvement of the Tennessee River, and their successors in office, be, and they are hereby authorized to suspend the improvement of so much of said river as is below Florence, in said State, and every other part of the same, until the canal and other improvements, between Lamb's Ferry and Campbell's Ferry, shall have been completed; any thing in the act entitled "An act to grant certain relinquished and unappropriated lands to the State of Alabama for the purpose of improving the navigation of the Tennessee, Coosa, Cahawba, and Black Warrior rivers," approved twenty-third of May, one thousand eight hundred and twenty-eight, to the contrary notwithstanding. (a)

(a) See Nos. 1481, 1487, 1495, 1518, 1533.

March 2, 1833.
Vol. 6, p. 550.

No. 1525.—AN ACT for the relief of Jared E. Groce, of the State of Alabama.

Authorized to re-enter certain land.

Be it enacted &c., That it shall be lawful for Jared E. Groce, of the State of Alabama, to re-enter, with the register of the land office at St. Stephen's, in the State aforesaid, fractional section numbered ten, in township numbered five, of range four, east; and the register and receiver of the land office aforesaid, are hereby required to pass to the credit of the said Jared E. Groce, upon his re-entry of the fractional

section aforesaid, the amount of the purchase money of the southwest quarter of section numbered six, in township numbered seventeen, of range four, east: *Provided*, The said Groce shall surrender to the register of the land office aforesaid, the patent which he now holds from the United States, for the quarter-section above described, accompanied by such a release of his interest to the land therein designated, as the Commissioner of the General Land Office shall direct: *And provided*, The said fractional section shall remain unsold; and, if sold, said Groce may enter any other land in said district, subject to private sale, and be credited to said amount in like manner.

Proviso.

Proviso.

No. 1526.—AN ACT for the relief of John Hurtell.

Feb. 5, 1834.
Vol. 6, p. 554.

Be it enacted, &c., That John Hurtell be, and he is hereby, authorized to enter at the proper land office, a tract of two hundred and forty acres of land, being the southwest quarter and west half of the northwest quarter of section number thirty-six, in township twenty, range four east, in the land district of Saint Stephen's, in the State of Alabama, being a part of the land designated under the law of the third day of March, one thousand eight hundred and seventeen, entitled, "An act to set apart and dispose of certain public lands for the encouragement of the cultivation of the vine and olive:" *Provided*, The said John Hurtell, shall pay for the same, at the rate of one dollar and twenty-five cents per acre, and shall in other respects, conform to the regulations for the purchase of the public lands of the United States, that are subject to entry at private sale.

Authorized to enter a tract of land.

Proviso.

No. 1527.—AN ACT confirming certain land claims in the district of St. Stephen's, in Alabama.

June 26, 1834.
Vol. 4, p. 688.

Be it enacted, &c., That the decisions of the register and receiver of the land office for the district of St. Stephen's, in the State of Alabama, as contained in their report bearing date the seventh of March, eighteen hundred and thirty-two, made in pursuance of the act of Congress approved the second of March, eighteen hundred and twenty-nine, entitled "An act confirming the report of the register and receiver of the land office of the district of Saint Stephen's, in the State of Alabama, and for other purposes," be, and the same are hereby, confirmed. (a)

Register's decision of March 7, 1832, confirmed.

(a) See Nos. 718, 723, 1067, 1266, 1268, 1270, 1274, 1276, 1286, 1287, 1292, 1296, 1299, 1300, 1422, 1423, 1424, 1425, 1426, 1430, 1432, 1433, 1435, 1437, 1438, 1439, 1440, 1461, 1479, 1484, 1585.

No. 1528.—AN ACT for the relief of Jeremiah Worsham.

June 28, 1834.
Vol. 6, p. 577.

Be it enacted, &c., That the register and receiver of the land office at St. Stephens, Alabama, be, and they are hereby, required to issue a certificate to Jeremiah Worsham, for the amount by him heretofore paid in said office for the northwest quarter-section five, in township eight, of range three, west, in the district of lands offered for sale at said town of St. Stephens, upon which said Worsham obtained a certificate of further credit, but, by mistake, the west half of which was returned to the General Land Office relinquished, and the east half of said quarter-section returned as fully paid for, and, accordingly, patented to said Worsham; which certificate shall be received in payment for any land hereafter sold in the said State of Alabama: *Provided*, That the said Jeremiah Worsham shall first surrender said patent, and file a relinquishment for the east half of said quarter-section, in the said land office at St. Stephens; and if there be not evidence in said office of the issuance of said certificate of further credit, and of the amount which has been paid, the said Worsham shall also file satisfactory evidence in said land office, that the same did issue, allowing him the further credit authorized by law on said quarter-section, and showing the amount which was paid thereon.

Certificate for payment on account of land to be issued.

Proviso.

No. 1529.—AN ACT for the relief of the legal representatives of James P. Hainesworth, deceased.

June 30, 1834.
Vol. 6, p. 581.

Be it enacted, &c., That the heirs and legal representatives of James P. Hainesworth, deceased, be, and they hereby are, authorized to locate, on any of the unappropriated lands of the United States in the State of Alabama subject to entry at public or private sale, one hundred and seventy-two acres, in lieu of the like quantity for which a pre-emption

May locate a tract of land, in lieu of another tract sold by United States, &c.

Proviso.

Credit to be allowed for the sum paid, with interest.

certificate was granted to the said James P. Hainesworth as the representative of Matthew Shaw, but which was forfeited for non-payment of the whole amount of the purchase money, and sold by the United States: *Provided*, That the location herein authorized shall conform to the divisions and subdivisions established by law.

SEC. 2. *And be it further enacted*, That, in the payment for the land authorized to be located as aforesaid, the said heirs and legal representatives shall be allowed a credit for the principal sum paid by the said James P. Hainesworth, with interest thereon from the time of payment to the time of the location herein authorized; and, on final settlement with the register and receiver of the proper land office for said land, they shall be entitled to a patent for the same.

June 30, 1834.
Vol 6, p. 584.

No. 1530.—AN ACT for the relief of William K. Paulling.

Authorized to enter a tract of land.

Be it enacted, &c., That William K. Paulling, of Alabama, be, and he is hereby, authorized to enter the northeast quarter of section twenty-eight, in township eighteen, of range four, west of the meridian of the Huntsville land district, on paying therefor at the rate of one dollar and twenty-five cents per acre; said Paulling having been entitled to the right of pre-emption of said quarter-section, under the act of twenty-ninth of May, eighteen hundred and thirty, entitled "An act to grant pre-emption rights to settlers on the public lands:" *Provided*, The said quarter-section shall not have been sold before said Paulling shall apply and pay for the same.

Proviso.

June 30, 1834.
Vol 6, p. 587.

No. 1531.—AN ACT for the relief of the legal representatives of Thomas H. Boyles, deceased.

Authorized to locate a tract of land, in lieu of &c.

Be it enacted, &c., That the legal representatives of Thomas H. Boyles, late of Alabama, deceased, be, and they are hereby, authorized to locate, on any of the lands of the United States in the State of Alabama which shall have been previously surveyed according to law, the quantity of twelve hundred and eighty acres of land, in lieu of a like quantity of land granted to the said Thomas H. Boyles, in his lifetime, by an act of Congress passed on the twenty-seventh day of April, eighteen hundred and sixteen; which said tract of land had, prior to the passage [of] said act, been reserved by treaty with the Creek Indians to one Lauchlin Durat, a warrior belonging to the said tribe of Indians: *Provided*, That the land hereby granted shall be located in tracts not less than six hundred and forty acres, according to legal subdivisions.

Proviso.

March 3, 1835.
Vol 4, p. 778.

No. 1532.—AN ACT to authorize the construction of a railroad upon the public lands, from Tallahassee to St. Marks, in Florida.

[Provisions of this act to extend to two companies authorized by acts of Alabama and Florida. See FLORIDA, No. 1654.]

June 23, 1836.
Vol 5, p. 57.

No. 1533.—AN ACT to amend an act to grant certain relinquished and unappropriated lands to the State of Alabama, for the purpose of improving the navigation of the Tennessee, Coosa, Cahaba and Black Warrior river.

Part of the former act repealed.

Be it enacted, &c., That so much of the second section of the act above recited as restricts the State of Alabama from having the power to sell, dispose of, or grant the residue of the lands granted by the act to which this is a supplement, at a price not less than the minimum price of the public lands, be, and the same is hereby repealed.

State of Alabama may impose tolls on canals, &c.

SEC. 2. *And be it further enacted*, That the assent of the United States is hereby given, to any act which the legislature of the State of Alabama may pass for imposing a toll on the use of such parts of the canal or canals, which have been or may be, constructed at or around the Muscle and Colbert's shoals of the river Tennessee: *Provided*, That such tolls shall be expended exclusively on the said canals, and shall not exceed in amount, the sum required to keep them in repair, and to defray the expenses of lock tenders, collectors, superintendents, and managers; and that no part of this act shall be construed as a repeal of the exemption, contained in the seventh section of the aforesaid act, of the property of

Proviso.

the United States, and all persons in their service, from any toll whatever: *And provided further*, That an annual report shall be made to the Secretary of the Treasury of the United States, of the rate and amount of tolls charged or collected on said canals, and their application. (a)

Proviso.

(a) See Nos. 1481, 1487, 1495, 1518, 1524.

No. 1534.—AN ACT for the relief of James Caulfield.

June 23, 1836.
Vol. 6, p. 640.

Be it enacted, &c., That James Caulfield be authorized to enter with the proper land office in Alabama, at one dollar and twenty-five cents per acre, so much land as is known to constitute the reservation of Peggy Bailey, a half-breed Creek Indian woman, under the treaty of Fort Jackson; being that portion of section seven, in township five, range five, on the east of the Alabama River, and so much of the fraction seven of said township and range, on the west side of the Alabama River, as will make, in the whole, three hundred and twenty acres of land.

Authorized to enter land in Alabama.

No. 1535.—AN ACT for the relief of Benjamin and Nancy Merrill.

June 23, 1836.
Vol. 6, p. 641.

Be it enacted, &c., That Benjamin Merrill and Nancy his wife, be, and they are hereby, authorized to sell the reservation of six hundred and forty acres of land taken by them under the treaties of one thousand eight hundred and seventeen and one thousand eight hundred and nineteen, between the United States and the Cherokee tribe of Indians, and being in the State of Alabama, upon the condition, that the contract for the sale of the same be examined and approved by the district attorney of the United States for the district of North Alabama; and upon the further condition, that they remove to the country assigned to the Cherokee Indians west of the Mississippi River, and that the expenses of such removal be defrayed by themselves.

Authorized to sell a reservation of land.

SEC. 2. *And be it further enacted*, That this act shall not be held or construed to guaranty the title which the said Benjamin and Nancy Merrill set up to the tract of land mentioned in the foregoing section.

Title not guaranteed.

No. 1536.—AN ACT for the relief of Henry Newman, and others.

July 2, 1836.
Vol. 6, p. 664.

Be it enacted, &c., That the irregular numeration of the fractional sections west of the Tombecbe River, of township number four, in range number two east, marked on the official maps or plats returned by the surveyor-general as being numbers thirty-five, thirty-six, and thirty-seven, be corrected on the maps in the office of the surveyor-general, and on those returned by him to the General Land Office, and to the land office for the district of St. Stephen's, so that the number five shall stand thereon instead of the number thirty-five, the number six instead of the number thirty-six, and the number seven instead of the number thirty-seven.

Erroneous numbers of certain sections of land to be corrected.

SEC. 2. *And be it further enacted*, That the letter-patent issued on the fifteenth day of September, in the year one thousand eight hundred and thirty, granting to William Crawford, assignee of Ann Dunham, the fractional section then designated on the said maps by the number thirty-five, and the patent issued on the first day of September, in the year one thousand eight hundred and twenty-four, granting to Henry Newman the fractional section then designated on the same maps by the number thirty-six; and also the patent issued on the first day of June, in the year one thousand eight hundred and twenty-nine, granting to William Crawford the fractional section then designated on the same maps as number thirty-seven, all lying in the township number four, of range number two, east, aforesaid, be, and all, each of them, equally legal and valid, as if the same fractional sections had been designated on said maps by their regular numbers, when said patents were issued; and the Commissioner of the General Land Office, and the register of the land office at St. Stephen's, are hereby directed to note the foregoing correction in the proper places on the books, maps, and records of their respective offices, referring to this act by its date; and the Commissioner of the General Land Office is hereby also directed to certify, accordingly, the correction affecting each of the said patents, in this respect, upon the back thereof, when presented, with special reference to this act, by which it is authorized.

Patents issued to Wm. Crawford and to Henry Newman to be corrected.

July 2, 1836.
Vol. 6, p. 677.

No. 1537.—AN ACT for the relief of Elijah Simmons.

Authorized to locate a tract of land.

Proviso.

Be it enacted, &c., That Elijah Simmons be, and he is hereby, authorized to locate six hundred and forty acres of the public lands of the United States within the State of Alabama, subject to entry at private sale, in lieu of eight hundred arpens situated on the east side of the Alabama River, in what is commonly called the fork, near the Tensaw River, and to which he was entitled by the laws of Spain, on which he had settled, had cultivated and inhabited in seventeen hundred and ninety-seven, and which has been sold by the United States as public land: *Provided,* That the said location be made in conformity with the legal divisions and subdivisions of public lands, and in quantities not less than one hundred and sixty acres; and on the execution, by the said Elijah Simmons, of a good and sufficient release to the United States of all his right, title, and interest to the said lands as aforesaid, to be filed in the proper land office, patents shall be issued to him for the quantity of one section, as above mentioned.

July 2, 1836.
Vol. 6, p. 677.

No. 1538.—AN ACT for the relief of Samuel Smith, Lynn MacGhee, and Semoice, friendly Creek Indians.

Authorized to enter a tract of land.

Be it enacted, &c., That Samuel Smith, Lynn MacGhee, and Semoice, friendly Creek Indians, who were entitled, under the treaty with the Creek nation of Indians, ratified on the sixteenth of February, eighteen hundred and fifteen, to reservations of six hundred and forty acres of land each, including their improvements, which lands have been sold by the United States, be, and they are hereby, authorized to enter, without payment, with the register and receiver of the land office for the land district in which the same may lie, in Alabama, one entire section each of land subject to entry at private sale; to be held by them on the same terms and conditions as the reservations given by said treaty. (a)

(a) See Nos. 1544, 1599.

July 2, 1836.
Vol. 6, p. 678.

No. 1539.—AN ACT for the relief of Susan Marlow.

Authorized to enter a tract of land.

Be it enacted, &c., That Susan Marlow, only surviving child of James Marlow, a Creek Indian, who lost his life at the destruction of Fort Mimms, be, and she is hereby, authorized to enter with the proper land officers for the district, without payment, one entire section of any of the public lands of the United States within the State of Alabama, subject to entry at private sale; to be held by her upon the same terms and conditions as reservations allowed to the friendly Creek Indians by the treaty of Fort Jackson. (a)

(a) See No. 1544.

July 2, 1836.
Vol. 6, p. 680.

No. 1540.—AN ACT for the relief of William Pollard's heirs.

Title to a lot of ground in Mobile confirmed to them.

Proviso.

Be it enacted, &c., That there shall be, and hereby is, confirmed unto the heirs of William Pollard, deceased, a certain lot of ground, situated in the city of Mobile, and bounded as follows, to wit: On the north, by what was formerly known as John Forbes and Company's Canal; on the west by Water street; on the south, by the King's wharf; and on the east, by the channel of the river; and that a patent shall issue in the usual form for the same: *Provided,* That this act shall only operate as a relinquishment, on the part of the United States, of all their right and claim to the above-described lot of ground, and shall not interfere with or affect the claim or claims of third persons.

July 4, 1836.
Vol. 5, p. 116.

No. 1541.—AN ACT to carry into effect, in the States of Alabama and Mississippi, the existing compacts with those States in regard to the five per cent. fund, and the school reservations.

A sum equivalent to the five per cent. &c., reserved in Alabama.

SEC. 3. *And be it further enacted,* That a sum equivalent to five per cent. of the nett proceeds of the lands within the State of Alabama, ceded by the Chickasaws by the treaty aforesaid, which have been or may hereafter be sold by Congress, shall be, and is hereby, reserved, out of any moneys in the Treasury not otherwise appropriated, to be applied in the same manner, and for the same uses and purposes, as is designated by the sixth section of the act of Congress of the second of March, eighteen hundred and nineteen. (a)

SEC. 4. *And be it further enacted,* That there shall be reserved from sale in the State of Alabama, a quantity of land equal to one thirty-sixth part of the lands ceded by the Chickasaws as aforesaid, within said State of Alabama, which land shall be selected under the direction of the Secretary of the Treasury, in sections, or half-sections, or quarter-sections, out of any public lands remaining unsold, that shall have been offered at public sale within any land district in said State of Alabama, contiguous to said lands within said State, so ceded by the Chickasaws, as aforesaid; which lands, when so selected, as aforesaid, the same shall vest in the State of Alabama, for the use of schools within said territory, in said State, so ceded, as aforesaid, by the Chickasaws; and said lands thus selected, shall be holden by the same tenure, and upon the same terms and conditions, in all respects, as the said State now holds the lands heretofore reserved for the use of schools in said State. (b)

(a) See Nos. 1015, 1314, 1452, 1459, 1494, 1573, 1581, 1607.

(b) See Nos. 1450, 1452, 1477, 1586, 1589, 1590, 1592, 1600, 1603, 1604.

No. 1542.—AN ACT to authorize certain railroad companies to construct railroads through the public lands in the Territory of Florida.

Jan. 31, 1837.
Vol. 5, p. 144.

[Pensacola and Perdido Railroad Company may construct road from Pensacola to Mobile Bay or River. See FLORIDA, No. 1658.]

No. 1543.—AN ACT to provide for the adjustment of title and final disposition of the four reserved sections in the tract of country allotted to the Tombecbee Association for the encouragement of the cultivation of the vine and olive.

March 2, 1837.
Vol. 5, p. 154.

Be it enacted, &c., That all persons who became entitled, under the contract entered into on the eighth day of January eighteen hundred and nineteen, by the Secretary of the Treasury, on the part of the United States, and Charles Villar, agent of the Tombecbee Association, in pursuance of "An act to set apart and dispose of certain public lands for the encouragement of the cultivation of the vine and olive," approved third of March, eighteen hundred and seventeen, to an allotment or share of the four sections of land reserved for the small allotments, and designated as sections, seven, eighteen, nineteen, and thirty in township eighteen, range three east, their heirs, devisees, or assigns, who shall have complied with the conditions of settlement and cultivation on such allotment, as required by said contract, or shall have been in the actual settlement and cultivation of his or her allotment within said four sections, or a part thereof, before or on the thirty-first day of October eighteen hundred and thirty-two, as provided by the act of the nineteenth day of February, eighteen hundred and thirty-three, shall, on producing to the register and receiver of the land district in which said lands are situated, satisfactory evidence of title to such allotment, and of settlement and cultivation on the same as aforesaid, and paying one dollar and twenty-five cents per acre for the land, receive a patent for the same: *Provided,* Such proof shall be filed and payment made within six months from the passage of this act: *And provided further,* That the expense of surveying any such allotment shall be defrayed by the person or persons claiming the same.

Persons entitled to allotments under contract by Secretary of the Treasury, with Chas. Villar, shall receive patents on certain conditions.

Proviso.

Further proviso.

SEC. 2. *And be it further enacted,* That any remainder of said four sections not disposed of by the first section of this act shall be subject to entry at one dollar and twenty-five cents per acre, by the trustees of the Demopolis Female Academy, in trust for the use and benefit of said institution. (a)

Remainder subject to entry, for use of Demopolis Female Academy.

(a) See Nos. 1444, 1458, 1497, 1521.

No. 1544.—AN ACT to amend an act approved the second of July, eighteen hundred and thirty-six, for the relief of Samuel Smith, Linn McGhee, and Semoice, Creek Indians; and, also, an act passed the second July, eighteen hundred and thirty-six, for the relief of Susan Marlow.

March 2, 1837.
Vol. 6, p. 689.

Be it enacted, &c., That so much of the acts for the relief of Samuel Smith, Linn McGhee, Semoice, and Susan Marlow, as restrict them to the entry of one entire section of land, be, and the same is hereby repealed; and the said Samuel Smith, Linn McGhee, Semoice, and Susan Marlow, are hereby authorized to enter, without payment, and by legal subdivisions, a quantity of land not exceeding six hundred and forty acres each, which is subject to entry at private sale. (a)

So much of acts as restricts them to one section, repealed.

Authorized to enter, &c.

(a) See Nos. 1532, 1539, 1599.

March 3, 1837.
Vol. 5, p. 186.

No. 1545.—AN ACT to authorize and sanction the sales of reserves, provided for Creek Indians in the treaty of March twenty-four, eighteen hundred and thirty-two, in certain cases, and for other purposes.

Those which shall remain unsold on April 4th next, to be sold at public auction, &c.

Be it enacted, &c., That the President of the United States may, and he is hereby authorized to, cause all the reserves belonging to the Creek Indians by virtue of the provisions of the treaty of March twenty-four, eighteen hundred and thirty-two, which shall remain unsold on the fourth day of April next, to be sold at public auction in the Creek country; after giving at least sixty days notice of the time, place and terms of sale in the public prints, and to cause patents to be issued to the purchasers of said reserves. (a)

Confirmation of sales by the widow, &c., of Creek Indians who have or may die before April 4th next, &c.

SEC. 2. *And be it further enacted,* That the President of the United States may, and he is hereby authorized to, confirm the sales by the widow, the widow and children, the children, or the lawful administrator of Creek Indians who have died, or who may die, prior to the fourth day of April next, without having legally disposed of said reserves, and to receive the purchase money, or such portions of it as may not have been paid to the persons entitled to it, and to cause patents to be issued therefor to the purchasers; "*Provided,* That sales made by lawful administrators shall be entitled to a preference over sales made by widows and children."

Proviso.

Payment of money which may be received from purchasers under authority given in preceding sections, &c.

SEC. 3. *And be it further enacted,* That the President may, and he is hereby authorized to, pay the persons entitled thereto, the money which may be received from the purchasers of reserves under the authority given in the two preceding sections, at such times and in such amounts as he shall deem best for the parties concerned; or, if he think proper, to invest the whole or any part of said purchase money in stocks, and pay the interest to the persons entitled, in such amounts, and in such manner, as, in his opinion, will be most advantageous for them: *Provided,* That he may cause the principal of the sum or sums so invested to be paid to the persons entitled thereto, whenever he may think proper: *And provided, further,* That the provisions of this act shall be executed under such regulations and restrictions as the President may prescribe.

Proviso.

Further proviso.

The President may cause one dollar and a quarter per acre to be paid to certain Creek Indians.

SEC. 4. *And be it further enacted,* That it may be lawful for the President of the United States to cause the sum of one dollar and twenty-five cents per acre to be paid to the Creek Indians, whose names were omitted to be entered on the census-roll taken under the treaty of eighteen hundred and thirty-two, and to those whose names appear on said roll, but for whom no locations have been made, who shall appear, from proper evidence, to be justly entitled to reservations under the provisions of said treaty; *Provided,* That the sums thus payable under this section may be invested in stocks upon the same terms and conditions, and under the same regulations and restrictions as are herein before prescribed in respect to moneys payable under the first and second sections of this act; *Provided, further,* That no transfer by the person entitled under this section shall be valid. (b)

Proviso.

Further proviso.

Money appropriated to carry this act into effect.

SEC. 5. *And be it further enacted,* That, for the purpose of carrying into effect the provisions of the three first sections of this act, the sum of ten thousand dollars be and the same is hereby appropriated, together with such sum as may be necessary to carry into effect the fourth section thereof.

(a) See Nos. 433, 730, 1266, 1279, 1281, 1293, 1301, 1323, 1422, 1428, 1429, 1436, 1441, 1448, 1450, 1470, 1516, 1598, 1602, 1609, 1618.

(b) See Nos. 1445, 1451, 1557.

March 3, 1837.
Vol. 6, p. 690.

No. 1546.—AN ACT for the relief of John Jeffers.

May surrender land certificate, and receive another therefor.

Be it enacted, &c., That John Jeffers be, and he is hereby, authorized to surrender the certificate which heretofore issued from the land office at Huntsville, Alabama, to John Sharp, and which was assigned to said Jeffers by Dixon Stanbach, as administrator of Stephen Heard, for the northwest quarter of section twenty-eight, township six, range two, west of the basis meridian of said land district; and upon such surrender of said certificate, and filing his relinquishment in said land office, the said John Jeffers shall be entitled to a certificate from the register and receiver of said land office for the amount which has been paid on said lands, which shall be received in said office in payment for any lands subject to entry in that land district.

No. 1547.—AN ACT for the relief of Isaac Wellborn, junior, and William Wellborn.

April 6, 1838.
Vol. 6, p. 710.

Be it enacted, &c., That there shall be, and is hereby, relinquished to Isaac Wellborn, jr., and William Wellborn, their heirs and assigns, all the right, title, and interest which may have accrued or reverted, or might hereafter accrue or revert, to the United States, to a certain reservation of six hundred and forty acres of land, made to a certain Thomas Harrison, the head of an Indian family of the Cherokee tribe, under treaties made between said tribe and the Government of the United States, on the eighth of July, eighteen hundred and seventeen, and the twenty-seventh of February, eighteen hundred and nineteen, which tract of land is situated in Jackson County, Alabama, and bounded as follows: Beginning at two post oaks and a red-oak; thence west three hundred and twenty poles to a stake near the top of a steep rocky mountain; thence south three hundred and twenty poles to a white-oak and red-oak on the top of a ridge; thence east three hundred and twenty poles to a stake; a Spanish oak, chinquapin oak, mulberry, and two hickories, marked as pointers; thence north three hundred and twenty poles to the beginning: *Provided,* That nothing herein contained shall be construed to impair or lessen the right or title of any individual claiming under the said Thomas Harrison, and who may not have fairly or legally transferred his or her interest in the said tract of land.

Right, &c., of United States to a certain reservation of land, relinquished to them.

Proviso.

No. 1548.—AN ACT for the relief of Jehu Hollinsworth.

June 28, 1838.
Vol. 6, p. 721.

Be it enacted, &c., That Jehu Hollinsworth, of Blount County, Alabama, be, and he hereby is, authorized to surrender the certificate of purchase or patent which heretofore issued to him from the land office at Huntsville, in said State, for the southwest quarter of the northwest quarter of section number two, of township eleven, in range three east, which was entered by said Hollinsworth by mistake; and upon such surrender of said certificate, or relinquishment filed, of said patent, if one has issued, with the register of said land office, the said Jehu Hollinsworth shall be entitled to a certificate from the said register for the amount paid for said land entered by mistake; which certificate shall be receivable in payment at said office for any other land in that district subject to entry: *Provided,* That said tract of land so entered shall not have been sold and transferred, or shall not be subject to be disposed of by execution for the payment of the debts of the said Hollinsworth.

May surrender land certificate, and receive another therefor.

Proviso.

No. 1549.—AN ACT for the relief of William James Aarons.

June 28, 1838.
Vol. 6, p. 721.

Be it enacted, &c., That William James Aarons, of Blount County, Alabama, be, and he hereby is, authorized to surrender the certificates which heretofore issued to him from the land office at Huntsville, in said State, for the southwest quarter of the northeast quarter, and the southeast quarter of the northwest quarter of section thirty-two, in township ten, range four east of the basis meridian of said land district, which were purchased by him through mistake; and upon such surrender of said certificates, or, if patents shall have issued for said tracts of land, then upon the surrender of such patents, and filing his relinquishment thereof before the register of said land office, the said William James Aarons shall be entitled to a certificate from said register for the amount paid for said tracts of land so entered by mistake, which shall be received in payment for any other land in said district subject to private entry; *Provided,* That said tract of land so entered shall not have been sold and transferred, or shall not be subject to be disposed of by execution for the payment of the debts of the said Aarons.

May surrender land certificate, and receive another therefor.

Proviso.

No. 1550.—AN ACT for the relief of William Walker.

June 28, 1838.
Vol. 6, p. 721.

Be it enacted, &c., That William Walker, of Jackson County, Alabama, be, and he hereby is, authorized to surrender the certificate which heretofore issued to him from the land office at Huntsville, in said State, for the west half of the southeast quarter of section thirty-three, in township four, and range five east of the basis meridian of said land district, which was purchased and paid for by him through mistake;

May surrender land certificate, and receive another therefor.

Proviso.

and upon such surrender of said certificate, or, if a patent shall have issued for said tract of land, upon the surrender of his patent, and filing his relinquishment in said land office, the said William Walker shall be entitled to a certificate from the register and receiver of said land office, for the amount which was so paid by mistake; which shall be received in payment for any other tract in said land district which may be subject to private entry; *Provided*, That said tract of land so entered shall not have been sold and transferred, or shall not be subject to be disposed of by execution for the payment of the debts of the said Walker.

June 28, 1838.
Vol. 6, p. 722.

No. 1551.—AN ACT for the relief of Joel Chandler.

May surrender
land certificate,
and receive an-
other therefor.

Be it enacted, &c., That Joel Chandler is hereby authorized to surrender and return to the United States, before the register of the land office at Huntsville, Alabama, a patent which issued to him for the east half of the southeast quarter of section twenty-four, in township twelve, of range four east, which said Chandler paid for by mistake at said land office. And upon such surrender and return, by said Joel Chandler, his heirs or assigns, a certificate shall be issued by the said register for the amount paid on said land in favor of said Chandler, his heirs or assigns; which shall be received in payment for any other tract of land subject to private entry in that land district: *Provided*, That said tract of land so entered shall not have been sold and transferred, or shall not be subject to be disposed of by execution for the payment of the debts of the said Chandler.

Proviso.

June 28, 1838.
Vol. 6, p. 722.

No. 1552.—AN ACT for the relief of James A. Williams.

May surrender
land certificate,
and receive an-
other therefor.

Be it enacted, &c., That James A. Williams, of Blount County, Alabama, be, and he hereby is, authorized to surrender the certificate which heretofore issued to him from the land office at Huntsville, in said State, for the east half of the northwest quarter of section twenty-one, in township eleven, of range two, west of the basis meridian of said land district, which was entered and paid for by him through mistake; and upon such surrender of said certificate, or, if a patent shall have issued for said land, upon surrendering the same, and filing his relinquishment in said land office, the said James A. Williams shall be entitled to a certificate from the register of said land office for the amount which was paid thereon; which shall be received in payment for any other land in said land district, subject to private entry: *Provided*, That said tract of land so entered shall not have been sold and transferred, or shall not be subject to be disposed of by execution for the payment of the debts of the said Williams.

Proviso.

June 28, 1838.
Vol. 6, p. 722.

No. 1553.—AN ACT for the relief of Abraham Woodall.

May surrender
land certificate,
and receive an-
other therefor.

Be it enacted, &c., That Abraham Woodall, of St. Clair County, Alabama, be, and he is hereby, authorized to surrender the certificate which heretofore issued to him, for the northeast quarter of the northeast quarter of section eighteen, township fourteen, range one east of the basis meridian of the Huntsville land district in said State, which was purchased and paid for by him through mistake; and upon such surrender by him of said certificate, or, if a patent shall have issued therefor, upon the surrender of such patent, and filing his relinquishment in said land office, the said Abraham Woodall shall be entitled to a certificate for the amount paid for said land, from the officers in said land office; which shall be received in payment for any land which may be subject to private entry in said land district: *Provided*, That said tract of land so entered shall not have been sold and transferred, or shall not be subject to be disposed of by execution for the payment of the debts of the said Woodall.

Proviso.

June 28, 1838.
Vol. 6, p. 726.

No. 1554.—AN ACT for the relief of J. A. Fleming.

Land patent to
issue to him.

Be it enacted, &c., That the Commissioner of the General Land Office cause a patent to be issued to J. A. Fleming for the west half of the southwest quarter and the southeast quarter of the northwest quarter of section ten, in township six, range four east, in the St. Stephen's land district, in Alabama, according to duplicate receipts issued to him by the receiver of public moneys of said land district.

No. 1555.—AN ACT for the relief of Richard Cravat, Hardy Perry, and Beley Cheney.

July 5, 1838.
Vol. 6, p. 727.

Be it enacted, &c., That the register and receiver of the land office at St. Stephens, Alabama, be, and they are hereby, authorized and required to issue to Richard Cravat, Hardy Perry, and Beley Cheney, each, a certificate for the quantity of land to which said individuals were, respectively, found to be entitled under the provisions of "An act for the relief of John McGrew, Richard Cravat, Hardy Perry, and Beley Cheney," approved on the eighth of May, eighteen hundred and twenty; the land to which said Cravat, Perry, and Cheney were entitled having been sold by the United States, according to the several reports of said register and receiver, dated September twenty-ninth, eighteen hundred and thirty-six; and said certificates shall authorize the said Richard Cravat, Hardy Perry, and Beley Cheney, respectively, to enter a like quantity of public land, subject to private entry, in any land office in the said State of Alabama, free from charge. (a)

Land certificates to issue.

(a) See No. 1454.

No. 1556.—AN ACT to grant to Cherokee County, Alabama, the tract of land on which the seat of justice of said county has been located.

July 5, 1838.
Vol. 5, p. 254.

Be it enacted, &c., That there be, and hereby is, granted to the county of Cherokee, in the State of Alabama, the tract of land lying on the Coosa River, whereon the town of Jefferson is situated, in said county, containing one hundred and fifty acres, according to the survey of S. R. Russell, county surveyor for the seat of justice of said county, instead of the quarter-section allowed by law for the same purpose; the commissioners of said county paying for the same the minimum price as in other cases.

A tract of land on the Coosa River granted to Cherokee County, &c.

No. 1557.—AN ACT to authorize the issuing of patents to the last bona-fide transferee of reservations under the treaty between the United States and the Creek tribe of Indians which was concluded on the twenty-fourth of March, eighteen hundred and thirty-two.

July 5, 1838.
Vol. 5, p. 256.

Be it enacted, &c., That the President of the United States be, and he is hereby, authorized and required to cause patents to be issued to such person or persons as may be the bona-fide purchaser, owner, assignee, or transferee of any selection or reservation which has been made to, or in behalf of, any chief or head of an Indian family, under a treaty concluded between the United States and the Creek tribe of Indians at Washington City, on the twenty-fourth day of March, eighteen hundred and thirty-two, whatever may be the number of intermediate transfers or assignments: *Provided*, The person or persons applying for such patent or patents shall adduce satisfactory proof to the Commissioner of the General Land Office of the fairness of said several preceding transfers or assignments. (a)

The President to cause patents to issue to the last purchasers, &c., of Indian selections, &c.

Proviso.

(a) See Nos. 1445, 1451, 1545.

No. 1558.—AN ACT for the relief of Nathaniel H. Hooe.

March 2, 1839.
Vol. 6, p. 755.

Be it enacted, &c., That all the interest and claim of the United States to the southeast quarter of section seventeen, township twenty-four, range three west, in the Tuscaloosa land district, in Alabama, and for which a certificate of purchase from the said land office, numbered twelve thousand three hundred and twenty-five, was issued to said Nathaniel H. Hooe, be, and the same are hereby, relinquished: *Provided*, That nothing in this act shall be so construed to prejudice the claim of any other individual, either by pre-emption or otherwise to said described tract of land: *And provided further*, That, if the money paid into the land office as the price of said land at the time the entry was made, has been refunded to said Nathaniel H. Hooe, to entitle him to the benefit of this act, he shall repay the original amount so refunded into the said land office.

Interest of United States in a certain tract of land relinquished to him.

Proviso.

Proviso.

No. 1559.—AN ACT for the relief of the heirs and legal representatives of the late Robert Farmer, deceased.

March 3, 1839.
Vol. 6, p. 761.

Be it enacted, &c., That the heirs and legal representatives of the late Robert Farmer, deceased, be, and they hereby are, confirmed in their title to a certain tract of land, commonly called the Island; bounded on the north, by the bayou Chatague; on the south, by the bayou Marmott; on the east, by the river Mobile; and on the west, by the said

Land title confirmed.

Proviso.

Proviso.

bayon, situate about a mile above or north of the city of Mobile, in the State of Alabama, and containing about four hundred acres, more or less; and the Commissioner of the General Land Office is hereby authorized to issue a patent to said heirs, agreeably to their petition: *Provided, however,* That this act shall be deemed and taken only as relinquishment on the part of the United States of all their right, title, claim, and interest to the said tract of land. *And provided further,* That this relinquishment shall not extent to more than four hundred acres of land, nor shall the same in any manner interfere with the prior legal or equitable rights of others.

March 3, 1839.
Vol. 6, p. 762.

No. 1560.—AN ACT for the relief of James Moore.

May surrender
land certificate,
and receive an-
other therefor.

Be it enacted, &c., That James Moore, of the county of Bibb, in the State of Alabama, be, and he hereby is, authorized to surrender the certificate which issued to him from the land office at Tuscaloosa, in the said State, on the tenth day of July, eighteen hundred and thirty-two, for the southwest quarter of the southwest quarter of section three, in township number twenty-three, of range twelve east, in the said district, which was purchased and paid for by him through mistake; and, upon the surrender of said certificate, or, if a patent shall have issued for the said tract of land, upon the surrender of his patent, and filing his relinquishment in said land office, the said James Moore shall be entitled to a certificate from the register and receiver of said land office for the amount which was so paid by mistake; which shall be received in payment for any other tract of land in said land district which may be subject to private entry.

March 3, 1839.
Vol. 6, p. 769.

No. 1561.—AN ACT for the relief of Milley Yates.

Certain land to
be located to her.

Proviso.

Entitled to a
grant of said
land.

Be it enacted, &c., That the Secretary of War be, and he is hereby, required to cause to be located to Milley Yates, a Choctaw woman, wife of Allen Yates, two sections of land, on any of the public lands within the country acquired by the treaty concluded with the Choctaw Indians at Dancing Rabbit Creek, on the twenty-seventh of September, eighteen hundred and thirty, not previously located to any Choctaw reservee, nor subject to any pre-emption claim, in one or more tracts, not less in any case than one quarter-section: *Provided,* The said Milley Yates shall release to the United States the two sections heretofore located in her name, by Colonel George W. Martin, and since disposed of at public sale at St. Stephens.

SEC. 2. *And be it further enacted,* That when such location shall have been made and confirmed, the said Milley Yates shall be entitled to a grant for the same from the United States.

March 3, 1839.
Vol. 6, p. 780.

No. 1562.—AN ACT for the relief of William Washington Bigham.

Authorized to
enter certain
land, in lieu of
land entered by
mistake.

Proviso.

Be it enacted, &c., That William Washington Bigham, or his legal representatives, are hereby authorized to enter, free of cost, forty acres of any land subject to sale at private entry, and unoccupied except by him or themselves, within the district of lands directed to be sold at Huntsville, in the State of Alabama, in lieu of the northwest fourth of the northeast fourth of section number thirty-six, in township seven, of range number nine (west,) entered by mistake: *Provided,* That a reconveyance of the aforesaid tract of land, unencumbered, be first made to the United States, and deposited with the register of the land office at Huntsville, Alabama.

March 3, 1839.
Vol. 6, p. 788.

No. 1563.—AN ACT for the relief of William Moor, and for other purposes.

Wm. Moor au-
thorized to sur-
render land cer-
tificate, and re-
ceive scrip there-
for.

Be it enacted, &c., That William Moor, of the county of Bibb, in the State of Alabama, be, and he hereby is, authorized to surrender the certificate which issued to him from the land office at Tuscaloosa, on the seventeenth day of January, eighteen hundred and thirty-four, for the southwest quarter of the northwest quarter of section number three, township number twenty-three, and range thirteen east, which was purchased by him, and paid for, through mistake; and that he

receive scrip for the amount by him so paid, which shall be received in payment for any other tract of land in the said land district which may be subject to private entry: *Provided*, That the said William Moor file in said land office his relinquishment to said tract of land. Proviso.

SEC. 2. *And be it further enacted*, That Thomas Nichols, of the county of Jefferson, in the State of Alabama, be, and he is hereby, authorized to surrender the certificate which issued to him from the land office at Tuscaloosa, for the southwest quarter of the southeast quarter of section thirty, of township sixteen, and range five west, which was purchased and paid for by him through mistake; and that he receive scrip for the amount by him so paid, which shall be received in payment for any other tract of land in said land district, subject to private entry; and if a patent shall have issued to said Nicholas for said tract of land, he shall surrender said patent, and file a relinquishment of his title thereto, before said scrip shall issue. T. Nichols authorized to surrender land certificate, &c.

No. 1564.—AN ACT to authorize the President of the United States to cause to be issued to Michael Ambrister, assignee of *Us-se-yoholo*, a Creek Indian, a patent for a certain reservation of land in the State of Alabama. March 3, 1839.
Vol. 6, p. 790.

Be it enacted, &c., That the claim and title of Michael Ambrister to the south half of section fourteen, in township nineteen, of range four east, in the Coosa land district, purchased by him of *Us-se-yoholo*, alias Toney, the head of a Creek Indian family, who was entitled to the same under the provisions of the treaty between the United States and the Creek tribe of Indians, concluded on the twenty-fourth of March, eighteen hundred and thirty-two, be, and the same is hereby, confirmed. Land claim confirmed.

No. 1565.—AN ACT for the relief of Etienne (Stephen) La Lande, of Alabama. March 3, 1839.
Vol. 6, p. 790.

Be it enacted, &c., That Etienne (Stephen) La Lande, of Alabama, be, and he hereby is, confirmed in his title to eight hundred arpens of land, (on which he now resides,) situate in the county of Mobile, and State of Alabama, on the west side of Dog River, having twenty arpens in front on said river, with forty arpens in depth; and the Commissioner of the General Land Office is hereby required to issue a patent to the said Etienne (Stephen) La Lande for the said tract of land: *Provided, however*, That this confirmation shall amount only to a relinquishment on the part of the United States of all their right and title to the said land, and shall not interfere with, or extinguish, any elder or better right, if any there be, to the same. Land title confirmed.

Proviso.

No. 1566.—AN ACT for the relief of Sitten Stephens.

Be it enacted, &c., That all the right, title, and interest which might accrue or revert to the United States to a certain tract of land in Jackson County, Alabama, reserved to Sitten Stephens under a treaty made and concluded between the United States and the Cherokee tribe of Indians, on the eighth day of July, eighteen hundred and seventeen, be, and the same are hereby, relinquished, and vested in the said Sitten Stephens and his heirs: *Provided*, That no conveyance or deed of the said tract of land shall be valid or effectual, until such conveyance or deed shall be submitted to one of the district attorneys of Alabama for his approbation; and if, after inquiry into the facts and circumstances attending the contract for the sale of said land, or any part thereof, he shall be satisfied that said contract is fair, and that the consideration paid or agreed to be paid therefor is adequate, he shall endorse his approbation on such deed or conveyance so approved, and thereafter the same shall be deemed valid and effectual. April 27, 1840.
Vol. 6, p. 797.

Right, &c., of United States to a certain tract, relinquished to him, &c.

Proviso.

No. 1567.—AN ACT to confirm the title to a certain tract of land in the county of Mobile, in the State of Alabama. May 27, 1840.
Vol. 6, p. 800.

Be it enacted, &c., That the claim of William E. Kennedy, filed before William Crawford, commissioner, for the confirmation of the title to a piece of land claimed under Benjamin Dubroca, for eight hundred arpens, by virtue of a Spanish permit, dated the second of February, one thousand eight hundred and three, lying in the county of Mobile, and State of Alabama, and which claim is numbered one hundred and three, in the report numbered six, of said William Crawford, commissioner, Land claim confirmed.

Proviso.

and which claim was placed by said commissioner in the list of claims which "ought not to be confirmed," be recognized as a valid claim, and that the same be confirmed, and stand in the same situation precisely as if the said claim had not been reported upon unfavorably, but, on the contrary, had been reported as a claim which ought to be confirmed, and as if said claim had been placed by said commissioner on the list of those which ought to be confirmed, whereby the said claim would have stood confirmed by the act of Congress of the third day of March, one thousand eight hundred and nineteen, entitled "An act for adjusting the claims to land, and establishing land offices in the district east of the island of New Orleans;" and the said title is hereby confirmed accordingly for said land, for which a patent shall issue according to said survey thereof, as shall be approved by the surveyor-general of the United States for the State of Alabama: *Provided, however,* That this act shall be so construed as to operate as a relinquishment of the title of the United States only.

July 20, 1840.
Vol. 5, p. 397.

No. 1568.—AN ACT to annex a certain tract of land to the Coosa land district, and for other purposes.

Certain land annexed to the Coosa land district.

Surveys, sales, &c., valid, how far.

Be it enacted, &c., That such part of township twenty-two, of range two, east, northern survey, State of Alabama, as lies east of the Coosa River, and was ceded to the United States by the Creek nation of Indians, by a treaty concluded on the ninth day of August, eighteen hundred and fourteen, be, and the same is hereby annexed to the Coosa land district; and all surveys, sales, and other proceedings heretofore had in reference to said tract hereby annexed as aforesaid, shall be as valid as they would have been had the same, at the time such proceedings were had, formed a part of said district, and no farther. (a)

(a) See Nos. 718, 1266, 1279, 1422, 1422, 1430, 1450, 1456, 1499, 1511, 1523, 1574.

July 20, 1840.
Vol. 6, p. 806.

No. 1569.—AN ACT for the relief of Oliver Welch.

Authorized to correct a mistake in the purchase of certain land.

Be it enacted, &c., That Oliver Welch, of the county of Talladega, and State of Alabama, be, and he is hereby, authorized to surrender the certificate which issued to him from the land office at Mardisville, in said State, on the twenty-fifth day of February, eighteen hundred and thirty-five, for the northeast quarter of the northwest quarter of section nine, in township twenty, of range four east, in the Coosa land district; which was purchased and paid for by him through mistake; and upon such surrender of said certificate, or, if a patent shall have issued for said tract of land, upon the surrender of his patent, and filing his relinquishment in said office, the said Oliver Welch shall be entitled to a certificate from the register and receiver of the said land office for the amount which was so paid by mistake; which shall be received in payment for any other tract of land in said land district which may be subject to private entry.

July 20, 1840.
Vol. 6, p. 807.

No. 1570.—AN ACT confirming the claim of Augustine Lacoste to a certain tract of land therein named.

Land claim confirmed.

Patent to be issued.

Be it enacted, &c., That the claim of Augustine Lacoste, number eleven, certificate number eight, report number five, as shown by the records of the land office of St. Stephens, Alabama, to a certain tract of land situate on Bon Secour's River, in the county of Baldwin, State of Alabama, containing, as shown by a survey thereof, made second January, eighteen hundred and thirty, and approved third December, eighteen hundred and thirty-four, by James H. Weakley, surveyor of the United States lands in Alabama, six hundred and thirty-eight and forty-hundredths acres, be, and the same is hereby confirmed.

SEC. 2. *And be it further enacted,* That the Commissioner of the General Land Office cause to be issued to the above-named Augustine Lacoste a patent for the aforesaid tract of land, known as section thirty-nine, township number eight, range number four, east.

No. 1571.—AN ACT for the relief of William Jones.

March 2, 1841.
Vol. 6, p. 821.

Be it enacted, &c., That the register and receiver of the land office at Huntsville, in the State of Alabama, be, and they are hereby, required to issue a certificate to William Jones, of Lawrence County, in said State, for the amount received in said land office for the southwest quarter of section twenty-two, in township five, of range three west, and the additional amount of the interest which has accrued thereon, at the rate of six per centum per annum: *Provided*, Said Jones shall file in said land office a relinquishment of all right, title, and interest, in said quarter-section, to the Government of the United States; and the said certificate shall be received in payment of any of the public lands which may be thereafter sold in the said State of Alabama: *And provided, also*, That it shall be satisfactorily shown to said register and receiver, that said quarter-section was selected by the State of Alabama, under the act of Congress granting four hundred thousand acres of relinquished land to said State, for the improvement of the navigation of the Tennessee and other rivers, before the sale thereof at said United States land office.

A certificate for amount paid for certain land, with interest, to be issued.

Proviso.

Proviso.

No. 1572.—AN ACT for the relief of the heirs of Miguel Eslava.

March 3, 1841.
Vol. 6, p. 822.

Be it enacted, &c., That the decision of the register and receiver of the land office for the district of St. Stephen's, in the State of Alabama, as contained in their report bearing date the third day of May, one thousand eight hundred and thirty-two, confirming a claim of the heirs of Miguel Eslava, deceased, (being claim number three in report number two,) and made in pursuance of the act of Congress, approved the second day of March, one thousand eight hundred and twenty-nine, entitled "An act confirming the reports of the register and receiver for the district of St. Stephen's, in the State of Alabama, and for other purposes," be, and the same is hereby, confirmed: *Provided*, That the confirmation provided to be made by this act shall amount only to a relinquishment, forever, on the part of the United States, of all right and title whatever to the land so confirmed or granted: *Provided, also*, That the survey and location hereafter to be made of said claims, which are hereby confirmed, shall be made in conformity with the original Spanish title-papers, unless the surveys of said claims be found variant from the grants, according to the usages of the Spanish Government; in which case, the grants are to govern.

Decision of the register, &c., respecting a land claim, confirmed.

Proviso.

Proviso.

SEC. 2. *And be it further enacted*, That after the proper location of the claims hereby confirmed, it shall be the duty of the Commissioner of the General Land Office to issue patents for the same, containing a reservation of the rights of all third persons: *Provided*, That the said patents shall be construed to convey to the claimants all such legal and equitable rights only, as may exist under the laws of nations, or under the constitution and laws of the United States, or treaties applicable to the said grants, under and by virtue of the said Spanish grants. And it shall be also the duty of the Commissioner of the General Land Office, forthwith to issue patents to Jonathan Hunt and Audley H. Gazzam, for all such portion of said lands, for which they now hold receipts issued by the receiver of the land office at St. Stephen's, in the State of Alabama; which patents shall contain an exception and reservation of all the rights of the said Spanish grantees, their heirs or assigns, under the titles claimed by them under the Spanish Government: *Provided*, That the patents issued to the said Hunt and Gazzam shall be construed to convey to them all such rights only, as are not inconsistent with the legal or equitable rights of the said Spanish grantees, their heirs or assigns, under the laws of nations, or under the constitution and laws of the United States, or treaties applicable to said grants, under and by virtue of the Spanish grants hereby confirmed.

After the location, patents shall issue, &c.

Proviso.

Patents to be issued to J. Hunt and A. H. Gazzam.

Proviso.

No. 1573.—AN ACT to appropriate the proceeds of the sales of public lands, and to grant pre-emption rights.

Sept. 4, 1841.
Vol. 5, p. 453.

SEC. 17. *And be it further enacted*, That the two per cent. of the nett proceeds of the lands sold by the United States, in the State of Alabama, since the first day of September, eighteen hundred and nineteen, and reserved by the act entitled "An act to enable the people of the Alabama Territory to form a constitution and State government, and for

The two per cent. of the nett proceeds of lands sold in Alabama, &c., relinquished to State.

Proviso.

the admission of such State into the Union on an equal footing with the original States," for the making of a road or roads leading to the said State, be, and the same is hereby, relinquished to the said State of Alabama, payable in two equal instalments, the first to be paid on the first day of May, eighteen hundred and forty-two, and the other on the first day of May, eighteen hundred and forty-three, so far as the same may then have accrued, and quarterly, as the same may thereafter accrue: *Provided*, That the legislature of said State shall first pass an act, declaring their acceptance of said relinquishment, and also embracing a provision, to be unalterable without the consent of Congress, that the whole of said two per cent. fund shall be faithfully applied, under the direction of the legislature of Alabama, to the connection, by some means of internal improvement, of the navigable waters of the bay of Mobile with the Tennessee River, and to the construction of a continuous line of internal improvements from a point on the Chattahoochee River, opposite West Point, in Georgia, across the State of Alabama, in a direction to Jackson in the State of Mississippi. (a)

(a) See Nos. 1015, 1314, 1452, 1459, 1494, 1541, 1581, 1607.

March 4, 1842.
Vol. 5, p. 470.

No. 1574.—AN ACT to provide for the early disposition of the lands lying in the State of Alabama, acquired from the Cherokee Indians by the treaty of twenty-ninth of December, eighteen hundred and thirty-five.

Said lands to be added to the Huntsville and Coosa districts.

Be it enacted, &c., That all that part of the territory acquired from the Cherokee Indians by the treaty of New Echota of twenty-ninth December, eighteen hundred and thirty-five, within the State of Alabama, which lies west of the line dividing ranges two and three east of the basis meridian of Huntsville, shall be added to and form a part of said district; and all the territory acquired by the said treaty within the said State not attached to the Huntsville district, as above described, shall be annexed to and form a part of the Coosa land district, in said State.

Land office for the Coosa district to be removed.

SEC. 2. *And be it further enacted*, That the land office for the Coosa land district, at present located at Mardisville, shall be removed to Lebanon in the county of De Kalb. (a)

(a) See Nos. 718, 1266, 1279, 1422, 1428, 1430, 1450, 1456, 1499, 1511, 1523, 1568.

June 22, 1842.
Vol. 6, p. 832.

No. 1575.—AN ACT for the relief of George Nix.

Upon the surrender of his patent for a certain tract of land, to receive another, &c.

Be it enacted, &c., That upon the surrender to the Secretary of the Treasury to be cancelled, by George Nix, or his legal representatives, of his patent for the southwest quarter of section number nineteen, township number twenty-two, range number eleven, in the district of lands subject to sale at Cahawba, in the State of Alabama, a patent shall issue to the said George Nix, or his legal representatives, for the southwest quarter of section number twenty-two, township number nineteen, range number eleven, in the district and State aforesaid: *Provided*, That said last-mentioned tract of land shall not, previous to such surrender, have been sold by the United States: *And provided, also*, That said tract of land, so authorized to be surrendered, shall not have been sold by the said George Nix, or his legal representatives, previous to such surrender.

Proviso.

Proviso.

July 9, 1842.
Vol. 6, p. 836.

No. 1576.—AN ACT for the relief of the legal representatives of Josiah Blakely, deceased.

Land patent to be issued.

Be it enacted, &c., That the Commissioner of the General Land Office be, and he is hereby, required to issue a patent to the legal representatives, and those claiming under them, of Josiah Blakely, deceased, for twelve hundred and eighty acres of land on Blakely's Island, as surveyed by John James, deputy surveyor, and in accordance with certificate number sixty-four, of the register and receiver of St. Stephen's, Alabama, dated the twenty-fifth of July, one thousand eight hundred and thirty-six.

July 27, 1842.
Vol. 6, p. 843.

No. 1577.—AN ACT to relinquish to William Waller the interest of the United States in a certain tract of land therein named.

Interest of the United States in certain lands relinquished to him.

Be it enacted, &c., That all the interest which the United States now has, or may hereafter have, in and to a certain tract of land, known as fractional section seventeen, township five, and range four east, lying on the left bank of the Alabama River, containing five hundred and fifty acres, more or less, and a small part of said fractional section, lying on

the right bank of said river, containing, as supposed, two acres, more or less, be, and the same is hereby, relinquished, and vested in William Waller and his heirs; the said William Waller having paid for said land the sum of fifteen hundred dollars; and Arthur Sizemore, who was authorized by an act of Congress, approved the twenty-ninth day of May, eighteen hundred and thirty, to sell said land, provided "he removed with his family west of the Mississippi," having been prevented by death from complying with said act of Congress. (a)

(a) See No. 1492.

No. 1578.—AN ACT for the relief of John Pratt, or his legal representative.

Aug. 26, 1842.
Vol. 6, p. 865.

Be it enacted, &c., That John Pratt, or his legal representative, is hereby authorized to enter, under his pre-emption claim, at the minimum price of the public lands, that portion of fractional section number twenty-two, in township number four, range number one west, in the land district of St. Stephens, Alabama, not embraced in the patents heretofore issued to James Etheridge and William D. Stone: *Provided*, The same shall not exceed one hundred and sixty acres: *And provided also*, That it shall be the duty of the surveyor of public lands in the State of Alabama to make any survey necessary to complete said entry.

Authorized to enter certain land.

Proviso.
Proviso.

No. 1579.—AN ACT for the relief of the legal heirs and representatives of Hugo Krebs, deceased.

Aug. 29, 1842.
Vol. 6, p. 872.

Be it enacted, &c., That the report (number eight) of the register and receiver of the land office at St. Stephens, in the State of Alabama, of date twenty-first January, eighteen hundred and thirty-nine, on the claim of Mary J. Krebs, Etienne Krebs, Genevieve Krebs, and Placide Krebs (in right of inheritance to Hugo Krebs,) to a lot of land in the town of Mobile, on Royal Street, of ten toises front, with a depth of sixty feet, extending to the river, reported on pursuant to the act of second March, eighteen hundred and twenty-nine, be, and the same is hereby, confirmed: *Provided*, Such confirmation shall only operate as a release of all right on the part of the United States.

Claim to a lot in Mobile confirmed.

Proviso.

No. 1580.—AN ACT for the relief of Elisha Moreland, William M. Kennedy, Robert J. Kennedy, and Mason E. Lewis.

Jan. 20, 1843.
Vol. 6, p. 879.

Be it enacted, &c., That Elisha Moreland, William M. Kennedy, Robert J. Kennedy, and Mason E. Lewis, who were deprived of their respective rights of pre-emption to their improvements in Madison County, Alabama, to which they were entitled under the act of Congress of twenty-ninth May, one thousand eight hundred and thirty, by the location of a reservation for a Cherokee Indian named Challenge, under the treaty of one thousand eight hundred and nineteen, and the confirmation thereof by an act of Congress passed for his relief, be, and they hereby are, authorized to enter, each, one quarter-section of any unappropriated public land, not improved or settled upon by any other person, within the Huntsville land district, in that State, or any adjoining district, by paying therefor the then minimum price per acre.

Authorized to enter land, in lieu of, &c.

SEC. 2. *And be it further enacted*, That it shall be the duty of the register and receiver of the land office, when any application to enter land, under the first section of this act, shall be made, before permitting such entry, to require satisfactory proof to be made that such applicant was entitled to a pre-emption under the act of the twenty-ninth May, one thousand eight hundred and thirty: *Provided*, The same is made within nine months from the passage of this act. (a)

Proof required that they were entitled to the right of pre-emption.

Proviso.

(a) See No. 1492.

No. 1581.—AN ACT regulating the mode of paying over to the State of Alabama the two per cent. fund relinquished to said State by the act approved on the fourth day of September, one thousand eight hundred and forty-one.

March 1, 1843.
Vol. 5, p. 606.

Be it enacted, &c., That the registers and receivers of public moneys at the different land offices in the State of Alabama be, and they are hereby, authorized and required, under such regulations as the Secretary of the Treasury may prescribe, to take and receive from the actual settlers on the public lands in said State, in payment for their houses and improvements, entered by virtue of any of the pre-emption laws now in force,

Bills of the Bank of Alabama receivable for lands, to the amount of the two per cent. fund unpaid.

Quantity of land to be entered by a settler.

Alabama to receive said bills in payment of the two per cent. fund.

Terms of the relinquishment not affected by this act.

the bills of the Bank of the State of Alabama, or any of the branches thereof, to an amount equal to the amount of the two per cent. fund relinquished to this State by the Congress of the United States, remaining unpaid: *Provided*, That no settler shall be allowed to enter more than one quarter-section of land with the bills of said bank, or either of them: *And provided further*, That the State of Alabama shall receive from the Government of the United States, in payment of said two per cent. fund, the bills of the Bank of the State of Alabama, and the several branches thereof, taken and received by the registers and receivers, as aforesaid, from the settlers aforesaid, in payment for their pre-emption claims: *And provided further*, That nothing in this act shall be so construed as to change the terms, conditions, and limitations, annexed to the relinquishment of said fund to the said State, by the act aforesaid; but such terms, conditions, and limitations, shall apply and be in full force in reference to said fund, notwithstanding its payment in the mode provided by this act. (a)

(a) See Nos. 1015, 1314, 1452, 1459, 1494, 1541, 1573, 1607.

March 1, 1843.
Vol. 6, p. 887.

No. 1582.—AN ACT for the relief of the heirs of Madam De Lusser, and their legal representatives.

Certain lands confirmed to them.

Proviso.

Be it enacted, &c., That the lands described in the special report of the register and receiver of the land office for the district of St. Stephens, in the State of Alabama, bearing date of the third July, eighteen hundred and thirty-four, be, and the same are hereby, confirmed, to the heirs of Madam De Lusser, to whom they were originally granted by the French Government, in seventeen hundred and sixty-three, and to their legal assignees, or their heirs: *Provided, however*, That this act shall be construed as to operate as a relinquishment of the title of the United States only.

June 12, 1844.
Vol. 6, p. 913.

No. 1583.—AN ACT for the relief of Joseph Bryan, Harrison Young and Benjamin Young.

Land claim confirmed.

Be it enacted, &c., That the claim and title of Joseph Bryan, Harrison Young, and Benjamin Young, to the north half of section nineteen, in township twenty-one, in range twenty-four, in the Tallapoosa land district, in the State of Alabama, purchased by them jointly of Benjamin Chambers, the head of a Creek Indian family, who was entitled to the same under the provisions of the treaty between the United States and the Creek tribe of Indians, concluded on the twenty-fourth of March, one thousand eight hundred and thirty-two, be, and the same is hereby confirmed.

June 17, 1844.
Vol. 6, p. 927.

No. 1584.—AN ACT for the relief of the legal representatives of John Baker, deceased.

Land entry confirmed.

Be it enacted, &c., That an entry of five hundred and seven acres of land, made at the land office at St. Stephens, in the State of Alabama, by the legal representatives of John Baker, on the ninth of July, one thousand eight hundred and thirty-nine, be, and the same is hereby, confirmed; and the said legal representatives shall be entitled to a patent therefor, as in other cases.

June 17, 1844.
Vol. 5, p. 676.

No. 1585.—AN ACT to provide for the adjustment of land claims within the States of Missouri, Arkansas, and Louisiana, and in those parts of the States of Mississippi and Alabama south of the thirty-first degree of north latitude, and between the Mississippi and Perdido rivers.

[See MISSOURI, No. 1067.]

Feb. 26, 1845.
Vol. 5, p. 727.

No. 1586.—AN ACT to amend an act entitled "An act to carry into effect, in the States of Alabama and Mississippi, the existing compacts with those States with regard to the five per cent. fund and the school reservations."

So much of sec. 4 of the act as requires the Secretary of Treasury to select lands granted for schools in the Chickasaw purchase, repealed.

Be it enacted, &c., That so much of the fourth section of the act entitled "An act to carry into effect, in the States of Alabama and Mississippi, the existing compacts with those States with regard to the five per cent. fund and the school reservations," as purports to require that a quantity of land, equal to the one thirty-sixth part of the lands lying within the State of Alabama, which were disposed of, or directed to be disposed of, in and by the treaty between the United States and the Chickasaw Indians, made and concluded at the city of Washing-

ton, on the twenty-fourth day of May, one thousand eight hundred and thirty-four, shall be selected, under the direction of the Secretary of the Treasury, within any land district in said State of Alabama, contiguous to said lands within said State so disposed of, &c., by the said Chickasaws, as aforesaid, be, and the same is hereby, repealed: *Provided*, That nothing herein contained shall be so construed as in any wise to affect the validity and binding force of any such selections as may heretofore have been made, in virtue of said fourth section, and sanctioned and accepted by the inhabitants of those surveyed townships, respectively, for whom they may have been made, as an equivalent and substitute for section number sixteen, within such surveyed township.

Proviso.

SEC. 2. *And be it further enacted*, That said lands, equal in quantity to one thirty-sixth part of the lands so, in virtue of said treaty, disposed of, &c., within said State of Alabama, (deducting therefrom such quantity, if any, as may have been selected, as aforesaid, under the authority of said fourth section, and accepted as aforesaid, in lieu of said section number sixteen, by the inhabitants of the proper surveyed township,) may be selected, under the direction of the governor of Alabama, at any time within two years from the passing of this act, in sections, half-sections, quarter-sections, or previously defined fractions, out of any of the surveyed public lands, within any of the land districts in the States of Alabama or Mississippi, subject to sale at private sale, and not in any wise encumbered by any prior claim, lien, or reservation, as the governor of the said State of Alabama may direct. But the same selections, respectively, shall not be holden to have been perfected, until the same, as from time to time they shall have been made, shall have been reported to the Commissioner of the General Land Office, together with proofs, taken in such manner as the legislature of the State of Alabama shall prescribe, of the assent of the inhabitants of the surveyed townships, respectively, for whose benefit the same may have been selected; and that the said inhabitants consent to and accept the same, in lieu of, and as a full equivalent for, the school section which, by the sixth section of the act entitled "An act to enable the people of the Alabama Territory to form a constitution and State government, and for the admission of such State into the Union on an equal footing with the original States." was guarantied to them.

Governor of Alabama authorized to select the lands within two years.

What is requisite to perfect the selections.

SEC. 3. *And be it further enacted*, That when the land shall have been so as aforesaid selected and reported and, as aforesaid, so accepted by said inhabitants of said surveyed township, respectively, the same shall vest in the State of Alabama, subject to the same disposition and uses, and shall be holden subject to the same conditions and terms, in all respects whatsoever, as, by the said sixth section of the act herein above referred to, were prescribed or intended in relation to sections number sixteen, within said State of Alabama. And it shall be competent for the said governor of Alabama, as from time to time such selections may be made, and before they are perfected as aforesaid, to give notice thereof to the register of the proper land office of the land district in which such selection may be made, in such form as the Commissioner of the General Land Office shall prescribe; and, thereupon, the land so selected shall, during such convenient time as such Commissioner of the General Land Office may prescribe, be considered, for the time being, as withdrawn from sale, and not subject to entry. (a)

Land to vest in Alabama, subject to the uses, &c., of 16th sections.

Governor of Alabama to notify the Register of the Land Office of his selections.

(a) See Nos. 1450, 1452, 1477, 1541, 1589, 1590, 1592, 1600, 1603, 1604.

No. 1587.—AN ACT for the relief of Wiley B. Parnell, of Blount County, Alabama, and James A. Whiteside, of Illinois.

Aug. 8, 1846.
Vol. 9, p. 662.

Be it enacted, &c., That Wiley B. Parnell, of Blount County, Alabama, be, and he is hereby, authorized to surrender the certificate that issued to him from the Huntsville land office, in said State, for the northeast quarter of the southwest quarter of section number thirty-two, township number twelve, range number two west, in said land district, entered by the said Parnell on the fourth day of December, eighteen hundred and forty-four, under a mistake; and, upon the surrender of said certificate, or the patent for said tract of land, if it has issued, under such rules and regulations as the Commissioner of the General Land Office may prescribe, the said Wiley B. Parnell is hereby authorized to enter, in lieu thereof, the southwest quarter of the northeast quarter of said section, township, and range, it being the tract the said Wiley B. Parnell authorized to surrender the certificate for lands entered under a mistake, and to enter other lands in lieu thereof.

Application to be made within six months. His entry not to interfere with rights of others. *Wiley B. Parnell, under the provisions of this act, within six months after the passage of the same: And provided further, That the entry shall not be made to the prejudice of the rights of any other person or persons.*

Jan. 26, 1847.
Vol. 9, p. 118.

No. 1588.—AN ACT declaring the assent of Congress to certain States to impose a tax upon all lands hereafter sold by the United States therein, from and after the day of such sale.

[States admitted into the Union prior to April 24, 1820, may tax public lands after the day of sale. See OHIO, No. 169.]

March 3, 1847.
Vol. 9, p. 202.

No. 1589.—AN ACT to amend an act entitled "An act to amend 'An act to carry into effect in the States of Alabama and Mississippi the existing compacts with those States with regard to the five per cent. fund and the school reservations.'"

Provisions of the act of February 26, 1845, extended so as to enable the State of Alabama to locate a certain quantity of land.

Proviso.

Be it enacted, &c., That the provisions of "An act to amend an act entitled 'An act to carry into effect in the States of Alabama and Mississippi the existing compacts with those States with regard to the five per cent. fund and the school reservations,'" approved February twenty-six, eighteen hundred and forty-five, be, and the same are hereby, extended so as to enable the State of Alabama to locate a quantity of land in any of the States or Territories equal to the quantity now due to the inhabitants of the township within the Chickasaw cession within said State: *Provided, That they shall be made subject to the restrictions and limitations of the act the title of which has been cited, as far as the same may be applicable. (a)*

(a) See Nos. 1450, 1452, 1477, 1541, 1586, 1590, 1592, 1600, 1603, 1604.

Aug. 11, 1848.
Vol. 9, p. 281.

No. 1590.—AN ACT to authorize the State of Alabama to apply certain lands heretofore granted to that State for internal improvements, for the use of schools in the valueless sixteenth sections in said State.

Certain lands granted to State of Alabama for internal improvements may be applied by said State for the use of schools.

Be it enacted, &c., That the lands granted to the State of Alabama for purposes of internal improvement, by the eighth section of the act entitled "An act to appropriate the proceeds of the sales of the public lands, and to grant preëmption rights," approved September fourth, eighteen hundred and forty-one, may be, and the same are hereby, placed at the disposal of the legislature of said State, at such price as said legislature may direct, to be applied for the use of schools in such townships of said State as in which the sixteenth or school sections are comparatively valueless, and the legislature may locate said lands in any legal subdivisions, not less than forty acres, within the limits of said State. (a)

(a) See Nos. 1450, 1452, 1477, 1541, 1586, 1589, 1592, 1600, 1603, 1604.

Feb. 19, 1849.
Vol. 9, p. 346.

No. 1591.—AN ACT to relinquish the reversionary interest of the United States in a certain Indian reservation in the State of Alabama.

Reversionary interest of the United States in a certain tract of land relinquished to Stephen Steele and James Daniel.

Proviso.

Be it enacted, &c., That all the right, title, and interest, which might accrue or revert, or has accrued or reverted, to the United States, to a certain reservation confirmed to the heirs of William Jones, deceased, by the certificate from the United States, bearing date the twelfth day of April, one thousand eight hundred and twenty, being known and described as fractional section sixteen, and the southeast and southwest quarters of section nine, in township six, and range five, under a treaty made and concluded at Fort Jackson, on the ninth day of August, one thousand eight hundred and fourteen, and lying in the State of Alabama, be, and the same are hereby, relinquished and vested in Stephen Steele and James Daniel, respectively, according to the extent of their several interests therein: *Provided, however, (and this relinquishment is made upon the condition,)* That the said Steele and Daniel, or either of them, have fairly, and in good faith, and for a valuable and adequate consideration, purchased of the said heirs, by authentic and valid deeds, their

respective rights in and to the said reservations: *And provided, further,* That no sale or conveyance of said reservation, or any part thereof, by the said reservees, or either of them, shall be deemed regular or valid, nor shall this act have effect, until the President of the United States, or some officer to be by him designated, shall have approved such conveyance, and endorsed his approval thereon.

No. 1592.—AN ACT to extend the provisions of an act approved the third of March, eighteen hundred and forty-seven, for carrying into effect the existing compacts with the States of Alabama and Mississippi, with regard to the five per cent. fund and school reservations.

Feb. 26, 1849.
Vol. 9, p. 348.

Be it enacted, &c., That the provisions of "An act to amend an act entitled 'An act to carry into effect, in the States of Alabama and Mississippi, the existing compacts with those States with regard to the five per cent. fund and the school reservations,' approved March third, eighteen hundred and forty-seven," be, and the same are hereby extended, so as to enable the State of Alabama to have three years from the passage of this act in which to make the selections of land authorized by the preceding acts to which this is an amendment. (a)

Three years allowed to State of Alabama to make selection of lands authorized by previous acts.

(a) See Nos. 1450, 1452, 1477, 1541, 1586, 1589, 1590, 1600, 1603, 1604.

No. 1593.—AN ACT for the relief of the citizens of Cedar Bluff, in the State of Alabama, and for other purposes.

March 2, 1849.
Vol. 9, p. 770.

Be it enacted, &c., That the *commissioner* of the county of Cherokee, in the State of Alabama, be, and they are hereby, authorized to enter the tract of land lying on the Coosa River, whereon the town of Cedar Bluff (formerly called Jefferson) is situated, in said county, containing one hundred and fifty acres, according to the survey of S. R. Russell, on the payment by the commissioners of said county of the minimum price, as in other cases: *Provided,* That said commissioners shall sell in lots, on reasonable notice, (not less than sixty days,) to the highest bidder, all that portion of said tract of land not hereinafter referred to and embraced, make titles to the purchasers, and apply the proceeds of said sale for the common benefit of said county of Cherokee.

Commissioners of Cherokee County, Alabama, authorized to enter 150 acres of land on which the town of Cedar Bluff is situated.

Proviso: how said land shall be sold and proceeds applied.

SEC. 2. *And be it further enacted,* That neither the entry nor the right of entry of said tract of land, by said commissioners, shall interfere with or disturb the titles of purchasers to the lots heretofore sold in said town by the county commissioners of said county of Cherokee, who have paid, or may, within twelve months, complete payment of, according to the terms of sale, the sum of the first instalment on the amount for which said lots were purchased; but in all such cases, without further action of any kind, the right and title of the purchasers to the lots thus purchased and paid for, together with all the improvements thereon, are hereby fully confirmed to and vested in said purchasers, their heirs at law, and bona-fide vendees and assignees. And the said commissioners are hereby authorized and required (should they enter said tract of land on the terms above named) to make titles to said lots to the owners thereof, according to the description by which the same were known and distinguished in the plan of the said town of Cedar Bluff.

Such entry not to interfere with or disturb the titles of certain purchasers to lots heretofore sold in said town.

Said commissioners to make titles to said lots to the owners.

SEC. 3. *And be it further enacted,* That (should said commissioners enter said tract of land on the terms above named) the President of the United States be, and he is hereby, authorized and required to issue, to said commissioners of said county of Cherokee, a patent for said tract of land, for the uses and purposes herein before mentioned.

Patent to issue.

No. 1594.—AN ACT to grant the right of way to the Mobile and Ohio Railroad Company.

March 3, 1849.
Vol. 9, p. 772.

Be it enacted, &c., That the right of way is hereby granted to the Mobile and Ohio Railroad Company for the railroad contemplated by said company to be constructed from Mobile to its northern terminus on the Ohio or Mississippi rivers, at or near the mouth of the Ohio, and the said company is hereby authorized to locate said road through any of the public lands of the United States which may lie on the route which may be selected for the location of said road; and the said company is hereby authorized to survey and mark through the said public lands the track of said road one hundred feet in width, and, furthermore, an additional quantity of twenty-five feet in width on each side

Right of way through the lands of the United States granted to the Mobile and Ohio Railroad Company.

of said road along the same, which land shall be reserved from sale, and the title whereof shall be vested in the State wherein such land shall lie, for the use of said railroad company forever, and for no other use whatever.

Said Company may take from the public lands such materials as are necessary.

Proviso as to transportation of mails of the United States.

SEC. 2. *And be it further enacted*, That the said Mobile and Ohio Railroad Company shall have the privilege, and the same is hereby granted to them, to cut and use all such timber, and to use all earth, stone, sand, gravel, mineral, and other materials on the public lands of the United States, which may be necessary for the construction or repair of said road, and to build bridges, or construct buildings, truss work, or other erections, such as the same may require, and use such water as may be wanted, and cross such streams as shall be necessary for the completion and use of said road: *Provided*, That the said railroad company, when the said railroad shall be completed, shall carry the mails of the United States on such terms as the Postmaster-General shall be able to contract, for similar services, with other railroad companies. (a)

(a) See Nos. 432, 1414, 1532, 1542, 1597, 1608, 1609, 1610, 1613, 1614, 1616, 1617, 1619, 1620, 1621, 1623.

May 23, 1850.
Vol. 9, p. 797.

No. 1595.—AN ACT giving the assent of Congress to the leasing of a portion of the margin of the Black Warrior River for the purposes therein mentioned.

Margin of Black Warrior River to be used for certain purposes.

Be it enacted, &c., That the consent of Congress be, and it is hereby, given to the corporation of the city of Tuscaloosa to lease to the Tuscaloosa Plank Road Company so much of the margin of the Black Warrior River at the termination of said road as may be necessary for a warehouse and landing on said river, any thing contained in the act of Congress of the twenty-sixth May, eighteen hundred and twenty-four, "granting to the corporation of Tuscaloosa certain lots and privileges over the reservations and commons in said town," to the contrary notwithstanding.

June 17, 1850.
Vol. 9, p. 798.

No. 1596.—AN ACT for the relief of James T. Shackelford.

Title confirmed in a specified tract of land, and patent to be issued therefor to J. T. Shackelford.

Proviso.

Further proviso.

Be it enacted, &c., That James T. Shackelford, of the State of Alabama, be, and he is hereby, confirmed in the following-described tract of land, to wit: the southeast quarter of section number sixteen, in township numbered seventeen, in range numbered one west, in the district of lands subject to entry at the land office at Demopolis, in the said State of Alabama, and that the Commissioner of the General Land Office, upon the passage of this act, shall issue a patent for the same: *Provided*, That said commissioner shall be first satisfied that the said James T. Shackelford has purchased the interest in the said tract of land of the person who originally entered the same: *And provided, further*, That the said patent shall operate only as a relinquishment on the part of the United States of all right and title to the said land.

Sept. 20, 1850.
Vol. 9, p. 466.

No. 1597.—AN ACT granting the right of way and making a grant of land to the States of Illinois, Mississippi, and Alabama, in aid of the construction of a railroad from Chicago to Mobile.

[See ILLINOIS, No. 432.]

Aug. 2, 1852.
Vol. 10, p. 27.

No. 1598.—AN ACT to protect actual settlers upon the land on the line of the Central Railroad and branches, by granting preëmption rights thereto.

[See ILLINOIS, No. 433.]

Aug. 16, 1852.
Vol. 10, p. 735.

No. 1599.—AN ACT for the relief of the heirs of Semoice, a friendly Creek Indian.

A certain tract of land to vest in fee-simple in the heirs of Semoice.

Be it enacted, &c., That the children and heirs of Semoice, deceased, a Creek Indian, to wit: Hetty Deas, Vicy Foxy, and Elizabeth Semoice, be and are hereby vested with a title in fee-simple, to fractional section twenty-three, township four, range two east, containing six hundred and two acres and fifty-three hundredths of an acre, being the same

land selected and entered by the said Semoice, under and by virtue of an act approved second July, eighteen hundred and thirty-six, entitled "An act for the relief of Samuel Smith, Lynn Mac Ghee, and Semoice, friendly Creek Indians:" *Provided*, That this act shall not be construed to defeat or prejudice the legal claim, if there be any, of other persons to the said tract of land. (a)

Proviso.

(a) See Nos. 1538, 1544.

No. 1600.—AN ACT to extend the provisions of an act approved the third of March, eighteen hundred and forty-seven, and the act approved the twenty-sixth of February, eighteen hundred and forty-nine, for carrying into effect the existing compacts with the States of Alabama and Mississippi, in relation to the five per cent. fund and school reservations.

Jan. 25, 1853.
Vol. 10, p. 153.

Be it enacted, &c., That the provisions of "An act to amend an act entitled 'An act to amend an act to carry into effect, in the States of Alabama and Mississippi, the existing compacts with those States with regard to the five per cent. fund, and school reservations,'" approved March the third, one thousand eight hundred and forty-seven, and the act to extend the provisions of said act, approved February twenty-sixth, eighteen hundred and forty-nine, be, and the same are hereby extended, so as to allow the State of Alabama three years from the passage of this act, to complete the selections of land authorized by the said acts to which this is an amendment. (a)

Alabama allowed three years from passage of this act to make selections.

(a) See Nos. 1450, 1452, 1477, 1541, 1588, 1589, 1590, 1592, 1603, 1604.

No. 1601.—AN ACT for the relief of William J. Price.

March 3, 1853.
Vol. 10, p. 765.

Be it enacted, &c., That William J. Price be, and he is hereby confirmed in his title to a certain tract of land situate in the county of Jackson, State of Alabama, on the waters of Jones's Creek, known as William Jones's reservation, it being the place first settled by William Jones, and, after his death, transferred by his widow and heirs at law to said William J. Price: *Provided*, That this confirmation shall only operate as a relinquishment on the part of the United States, and shall not affect the rights of any minor heir or heirs, or of third persons.

Tract of land confirmed to William J. Price.

Proviso.

No. 1602.—AN ACT authorizing the sale of certain reserved lands in Alabama.

March 3, 1853.
Vol. 10, p. 259.

Be it enacted, &c., That the lands lying in Clarke County, in the State of Alabama, which have been reserved from sale as cedar lands, under and by virtue of "An act making reservation of certain public lands to supply timber for naval purposes," approved March first, eighteen hundred and seventeen, shall hereafter be liable to be sold in the same manner and under the same provisions and restrictions as other public lands of the United States. (a)

Cedar lands in Clark County, Alabama, may be sold.

(a) See Nos. 433, 730, 1266, 1279, 1281, 1293, 1301, 1323, 1422, 1428, 1429, 1436, 1441, 1448, 1450, 1470, 1516, 1545, 1598, 1609, 1618.

No. 1603.—AN ACT to authorize the school commissioners of fractional township number one, of range number ten east, in Alabama, to locate one half-section of land for school purposes.

April 20, 1854.
Vol. 10, p. 275.

Be it enacted, &c., That the school commissioners of fractional township number one, of range number ten east, situated in the district of land subject to sale at Lebanon, Alabama, be, and is hereby authorized to enter, free of charge, in lieu of the lands to which they are entitled by any existing law, one half-section of land in legal subdivision, anywhere in said township, with a view to the ultimate convenience of the citizens of said township, and the quality of soil for school purposes, and said lands thus located shall be governed by the same laws, rules, and regulations, as is the school sixteenth section in said State of Alabama.

Authorized to enter certain land.

Where located.

How governed.

SEC. 2. *And be it further enacted*, That it shall be the duty of said school commissioners to locate and report, within two years, what lands they have entered, to the Commissioner of the General Land Office at

To be located and report made within two years.

Withdrawn from sale of public lands. Washington, and it shall be his duty, upon the receipt of such report of location, to withdraw from sale the said lands, and the title thereto shall be valid as in sixteenth sections heretofore granted in the new States. (a)

(a) See Nos. 1450, 1452, 1477, 1541, 1586, 1589, 1590, 1592, 1600, 1604.

June 22, 1854.
Vol. 10, p. 299.

No. 1604.—AN ACT to authorize the selection of school districts in lieu of the sixteenth sections within the twelve-miles square reservation, State of Alabama.

School commissioners of certain townships in Huntsville district authorized to select indemnity school lands.

Be it enacted, &c., That the school commissioners of township six south, range one east, townships five and six south, range two east, and townships five and six south, range three east, Huntsville district, Alabama, be, and the same are hereby, authorized to select, respectively, by legal subdivisions, from any of the surveyed public lands, the quantity as near as may be, contained in the sixteenth sections of said townships, within the twelve-miles square reservation; which selections, upon being approved by the Secretary of the Interior, shall be holden by the same tenure, and upon the same terms, for the support of schools in such townships, as the sections numbered sixteen, within the said reservation would have been, had not treaty stipulation made other disposition thereof. (a)

How held.

(a) See Nos. 1450, 1452, 1477, 1541, 1586, 1589, 1590, 1592, 1600, 1603.

June 29, 1854.
Vol. 10, p. 593.

No. 1605.—JOINT RESOLUTION directing the connection of the public surveys in Alabama with the boundary line between the States of Alabama and Florida.

Connection of surveys in Alabama with her boundary with Florida.

Resolved, &c., That the connection of the public surveys in Alabama, with the boundary line between the States of Alabama and Florida, shall be made under the direction of the General Land Office, and that the same be executed as early as practicable. (a)

(a) See Nos. 777, 1450, 1463, 1500.

Aug. 2, 1854.
Vol. 10, p. 810.

No. 1606.—AN ACT to relinquish the reversionary interest of the United States to a certain reservation therein mentioned, and to confirm the title of Charles G. Gunter thereto.

All the right, &c., which might accrue or revert to the United States to certain lands are relinquished to C. G. Gunter, his heirs and assigns.

When patent to be issued.

Be it enacted, &c., That all the right, title, and interest which might accrue or revert to the United States to a certain fraction of section number nineteen of township number sixteen and range number sixteen, including an island in the Alabama River, commonly called Manac's Island, a little below the mouth of Catoma Creek, and being the reservation to which Samuel Manac, a Creek Indian, became entitled under the treaty of Fort Jackson, be, and the same are hereby relinquished to Charles G. Gunter, his heirs and assigns, and a patent shall be issued to the said Charles G. Gunter, his heirs or assigns, for the same, upon the payment to the receiver of the land office at Cahaba, in the State of Alabama, of the minimum price per acre of the public lands now subject to entry in said State.

March 2, 1855.
Vol. 10, p. 630.

No. 1607.—AN ACT to settle certain accounts between the United States and the State of Alabama.

Settlement of account with Alabama.

Be it enacted, &c., That the Commissioner of the General Land Office be, and he is hereby, required to state an account between the United States and the State of Alabama, for the purpose of ascertaining what sum or sums of money are due to said State, heretofore unsettled, under the sixth section of the act of March second, eighteen hundred and nineteen, for the admission of Alabama into the Union; and that he be required to include in said account the several reservations under the various treaties with the Chickasaw, Choctaw, and Creek Indians within the limits of Alabama, and allow and pay to the said State five per centum thereon, as in case of other sales.

May 17, 1856.
Vol. 11, p. 15.

No. 1608.—AN ACT granting public lands, in alternate sections, to the States of Florida and Alabama, to aid in the construction of certain railroads in said States.

[See FLORIDA, No. 1691.]

No. 1609.—AN ACT granting public lands, in alternate sections, to the State of Alabama to aid in the construction of certain railroads in said State.

June 3, 1856.
Vol. 11, p. 17.

Be it enacted, &c., That there be, and is hereby, granted to the State of Alabama, for the purpose of aiding in the construction of railroads; from the Tennessee River, at, or near Gunter's landing, to Gadsden, on the Coosa River; from Gadsden to connect with the Georgia and Tennessee and Tennessee line of railroads, through Chattooga, Wills, and Lookout Valleys; and from Elyton to the Tennessee River at or near Beard's Bluff, Alabama, every alternate section of land designated by odd numbers, for six sections in width on each side of each of said roads. But in case it shall appear that the United States have, when the lines or routes of said roads are definitely fixed, sold any sections or any parts thereof, granted as aforesaid, or that the right of preëmption has attached to the same, then it shall be lawful for any agent or agents, to be appointed by the governor of said State, to select, subject to the approval of the Secretary of the Interior, from the lands of the United States nearest to the tiers of sections above specified, so much land, in alternate sections, or parts of sections, as shall be equal to such lands as the United States have sold, or otherwise appropriated, or to which the rights of preëmption have attached as aforesaid, which lands (thus selected in lieu of those sold and to which preëmption rights have attached as aforesaid, together with the sections and parts of sections designated by odd numbers, as aforesaid, and appropriated as aforesaid) shall be held by the State of Alabama, for the use and purpose aforesaid: *Provided*, That the land to be so located shall in no case be further than fifteen miles from the lines of said roads, and selected for and on account of each of said roads: *Provided further*, That the lands hereby granted for and on account of said roads, severally, shall be exclusively applied in the construction of that road for and on account of which such lands are hereby granted, and shall be disposed of only as the work progresses, and the same shall be applied to no other purpose whatsoever: *And provided further*, That any and all lands heretofore reserved to the United States by any act of Congress, or in any other manner by competent authority, for the purpose of aiding in any object of internal improvement, or for any other purpose whatsoever, be, and the same are hereby, reserved to the United States from the operation of this act, except so far as it may be found necessary to locate the routes of said railroads through such reserved lands, in which case the right of way only shall be granted, subject to the approval of the President of the United States. (a)

Grant of land in Alabama for railroads.

Grant in lieu of sections sold or pre-empted.

Grant, how applied.

Act not to apply to reservations except as to right of way.

SEC. 2. *And be it further enacted*, That the sections and parts of sections of land which, by such grant, shall remain to the United States, within six miles on each side of said roads, shall not be sold for less than double the minimum price of the public lands when sold, nor shall any of said lands become subject to private entry until the same have been first offered at public sale at the increased price. (b)

Price of alternate sections doubled.

SEC. 3. *And be it further enacted*, That the said lands hereby granted to the said State shall be subject to the disposal of the legislature thereof, for the purposes aforesaid, and no other; and the said railroads shall be and remain public highways for the use of the Government of the United States, free from toll or other charge upon the transportation of any property or troops of the United States.

Object of grant. Railroad to be a public highway for the Government.

SEC. 4. *And be it further enacted*, That the lands hereby granted to said State shall be disposed of by said State only in manner following, that is to say: That a quantity of land, not exceeding one hundred and twenty sections for each of said roads, and included within a continuous length of twenty miles of each of said roads, may be sold; and when the governor of said State shall certify to the Secretary of the Interior that any twenty continuous miles of any of said roads is completed, then another quantity of land hereby granted, not to exceed one hundred and twenty sections for each of said roads having twenty continuous miles completed as aforesaid, and included within a continuous length of twenty miles of each of such roads, may be sold; and so, from time to time, until said roads are completed; and if any of said roads is not completed within ten years, no further sale shall be made, and the lands unsold shall revert to the United States.

Lands, how disposed of.

SEC. 5. *And be it further enacted*, That the United States mail shall be transported over said roads, under the direction of the Post-Office Department, at such price as Congress may, by law, direct: *Provided*, That

Transportation of mails.

until such price is fixed by law, the Postmaster-General shall have the power to determine the same.

Grant of other lands to Alabama for railroads.

SEC. 6. *And be it further enacted*, That a grant of lands shall be made to said State to aid in the construction of the following roads in said State, to wit: The Memphis and Charleston Railroad, extending from Memphis on the Mississippi River, in Tennessee, to Stevenson, on the Nashville and Chattanooga Railroad, in Alabama; the Girard and Mobile Railroad, from Girard to Mobile, Alabama; the Northeast and Southwestern Railroad, from near Gadsden to some point on the Alabama and Mississippi State line, in the direction to the Mobile and Ohio Railroad, with a view to connect with said Mobile and Ohio Railroad; the Coosa and Alabama Railroad, from Selma to Gadsden; the Central Railroad from Montgomery to some point on the Alabama and Tennessee State line in the direction to Nashville, Tennessee; and that alternate sections of the public lands to the same extent and in the same manner, and upon the same limitations and restrictions in every respect, shall be and is hereby made to aid in the construction of the roads in said State mentioned in this act: *Provided*, That the lands hereby granted to said State for the purpose of constructing a railroad from the northeast to the southwestern portion of said State, lying northwest of Elyton, shall be assigned to such road as may be designated by the legislature of said State. (a)

Proviso.

(a) See Nos. 432, 1414, 1532, 1542, 1594, 1597, 1608, 1610, 1613, 1614, 1616, 1617, 1619, 1620, 1621, 1623.

(b) See Nos. 433, 730, 1266, 1279, 1281, 1293, 1301, 1323, 1422, 1423, 1429, 1436, 1441, 1448, 1450, 1470, 1516, 1545, 1598, 1602, 1618.

Aug. 11, 1856.
Vol. 11, p. 30.

No. 1610.—AN ACT granting public lands in alternate sections to the State of Mississippi to aid in the construction of railroads in said State, and for other purposes.

[Grant of lands to Alabama for a railroad from Mobile to New Orleans. See MISSISSIPPI, No. 1414.]

Aug. 11, 1856.
Vol. 11, p. 460.

No. 1611.—AN ACT for the relief of Robert Mitchell.

Robert Mitchell authorized to enter certain lots, in Alabama, on proof of occupancy, &c., and paying the usual price.

Patents to issue.

Be it enacted, &c., That Robert Mitchell be, and he is hereby, authorized to enter lots B, C, and D, of fractional section nineteen, in township sixteen, of range twenty-one east, in the district of lands subject to sale at Montgomery, Alabama, upon his producing proof, satisfactory to the land officers for said district, and subject to the approval of the Commissioner of the General Land Office, of the occupancy and improvement of said lands, and paying therefor the minimum price of one dollar and twenty-five cents per acre; and, upon such proof and payment being made, a certificate and patent shall issue for said lots as in other cases of sales of public lands.

Aug. 23, 1856.
Vol. 11, p. 483.

No. 1612.—AN ACT for the relief of James M. Lindsay.

Land claim of James M. Lindsay, confirmed.

Adverse rights saved.

Be it enacted, &c., That the claim of James M. Lindsay, of the State of Alabama, to fractional section twenty-one, township six, range five, west of the Alabama River, except the south half of the southeast quarter and the south half of the southwest quarter of said section be and the same is hereby confirmed—the land herein described being the part of a reservation made to Samuel and David Hale, Creek Indians, by the treaty of the ninth of August, eighteen hundred and fourteen, between the United States and the hostile Creeks: *Provided*, That this act shall be construed to vest in the said Lindsay only the reversionary interest of the United States, and not to prejudice the rights of bona-fide claimants other than the United States.

March 3, 1857.
Vol. 11, p. 195.

No. 1613.—AN ACT making a grant of land to the Territory of Minnesota, * * * and granting public lands in alternate sections to the State of Alabama, to aid in the construction of a certain railroad in said State.

* * * * *

Grant to Alabama, to aid in construction of certain roads.

SEC. 7. *And be it further enacted*, That there be and is hereby granted to the State of Alabama, for the purpose of aiding in the construction of a railroad "from the line of Georgia on the Chattahoochee River, to the city of Mobile, Alabama," "through the counties of Henry, Dale, Coffee, Covington, Conecuh, Baldwin and Mobile," and a branch railroad "from

Eufaula to Montgomery," "through the counties of Barbour, Pike, Macon and Montgomery," chartered by the State of Alabama by an act entitled "An act to authorize the Savannah and Albany Railroad Company to extend their railroad from the line of Georgia, on the Chattahoochee River, to the city of Mobile, Alabama, and to extend a branch road from Eufaula to Montgomery," approved December twentieth, eighteen hundred and fifty-three, alternate sections of the public lands to the same extent and in the same manner, and upon the same limitations and restrictions in every respect, as was granted to aid in the construction of other railroads under an act of Congress entitled "An act granting public lands in alternate sections to the State of Alabama to aid in the construction of certain railroads in said State," approved June three, eighteen hundred and fifty-six. (a)

(a) See Nos. 432, 1414, 1532, 1542, 1594, 1597, 1608, 1609, 1610, 1614, 1616, 1617, 1619, 1620, 1621, 1623.

No. 1614.—AN ACT to amend "An act granting public lands in alternate sections to the State of Alabama to aid in the construction of certain railroads in said State."

March 3, 1857.
Vol. 11, p. 200.

Be it enacted, &c., That the sixth section of an act, granting public lands in alternate sections to the State of Alabama, to aid in the construction of certain railroads in said State, approved second day of June, eighteen hundred and fifty six, be and the same is hereby so amended, that in lieu of the words "Central Railroad from Montgomery to some point on the Alabama and Tennessee State line in the direction to Nashville, Tennessee," the words "Tennessee and Alabama Central Railroad" be and they are hereby substituted. (a)

A different specification of the railroad.

(a) See Nos. 432, 1414, 1532, 1542, 1594, 1597, 1608, 1609, 1610, 1613, 1616, 1617, 1619, 1620, 1621, 1623.

No. 1615.—AN ACT for the relief of Laurent Millaudon.

June 1, 1858.
Vol. 11, p. 537.

Be it enacted, &c., That Laurent Millaudon be, and he is hereby, confirmed in his title to two certain tracts of land lying on the east side of Mobile Bay, in the State of Alabama, being the two tracts of land known as the De Feriet claims, as surveyed in the year eighteen hundred and thirty, and approved of by the surveyor-general in the year eighteen hundred and thirty-five, with the exception of so much off of the north end thereof as has heretofore been surveyed and confirmed to William Patterson, and included within what is known as the Patterson claim, as now located: *Provided*, That this act shall only be construed as a relinquishment of any title that the United States may have to said lands: *And provided further*, That this confirmation shall enure to the benefit of any other persons, if such there be, as may be entitled to any part of said De Feriet claims, under conveyances from him.

Laurent Millaudon to be confirmed in title to two tracts of land in Alabama.

Proviso.

No. 1616.—AN ACT for the relief of the Mobile and Ohio Railroad Company.

Feb. 18, 1859.
Vol. 11, p. 384.

Be it enacted, &c., That whereas the State of Mississippi, by its act approved on the twenty-eighth of January, eighteen hundred and fifty-two, and the State of Alabama, by its act approved on the first of December, eighteen hundred and fifty-one, did transfer to the Mobile and Ohio Railroad Company the lands which were granted to said States under the provisions of the act of Congress approved the twentieth September, eighteen hundred and fifty, to aid in the construction of a railroad from Mobile to the mouth of the Ohio River, the said transfers of said lands so made by said States, respectively, to said company, are hereby recognized, ratified, and confirmed, and the title to all bona-fide purchasers of said company are also hereby confirmed; and that the time limited by said original act of Congress for the completion of said railroad is hereby extended, and the said company is allowed further time till the twentieth of September, in the year eighteen hundred and sixty-five, to complete the same, anything in said act to the contrary notwithstanding: *Provided, nevertheless*, That the said Mobile and Ohio Railroad Company be subjected to, and shall comply with all the conditions, restrictions, and limitations contained in the

Preamble.

Transfers by the States of Alabama and Mississippi confirmed.

Time for completing the road extended to Sept. 20, 1865.

Proviso.

Proviso.

act of Congress above referred to, approved the twentieth September, eighteen hundred and fifty; *And provided*, That nothing herein contained shall be construed so as to release the States of Mississippi or Alabama from any liability imposed upon them by the said act of September twentieth, eighteen hundred and fifty. (a)

(a) See Nos. 432, 1414, 1532, 1542, 1594, 1597, 1608, 1609, 1610, 1613, 1614, 1617, 1619, 1620, 1621, 1623.

April 10, 1869.
Vol. 16, p. 45.

Grant of public lands to Alabama for railroads renewed, subject, &c.

No. 1617.—AN ACT to renew certain grants of land to the State of Alabama.

Be it enacted, &c., That so much of the grant of lands made to the State of Alabama by the act of Congress approved June three, eighteen hundred and fifty-six, entitled "An act granting public lands in alternate sections to the State of Alabama, to aid in the construction of certain railroads in said State," as were granted to assist in the building of railroads "from near Gadsden to some point on the Alabama and Mississippi State line, in a direction to the Mobile and Ohio Railroad, with a view to connect with the said Mobile and Ohio Railroad," and "from Gadsden to connect with the Georgia and Tennessee and Tennessee line of railroads through Chattooga, Wills, and Lookout Valleys," is hereby revived and renewed, subject to all the conditions and restrictions contained in the act referred to, and subject to the further limitation that if either of the said railroads is not completed within three years from the passage of this act no further sale shall be made for the benefit of such railroad, and the lands unsold shall revert to the United States: *Provided*, That the lands granted by the act hereby revived, except mineral lands, shall be sold to actual settlers only in quantities not greater than one quarter-section to any one purchaser, and for a price not exceeding two dollars and fifty cents per acre.

If roads are not completed in three years, no further sale of land therefor, and lands unsold to revert.

Lands how and to whom to be sold.

Materials for constructing roads may be taken from adjacent lands.

Right of way over public lands with grounds for stations, &c.

SEC. 2. *And be it further enacted*, That the right, power, and authority is hereby given to the companies building the aforesaid railroads to take from the public lands adjacent to the lines of said railroads earth, stone, and other materials for the construction thereof; and the right of way is hereby granted to the extent of one hundred feet in width on each side of said railroads where they may pass over the public lands, including all necessary grounds for stations and structures connected therewith, not exceeding forty acres at any one station. (a)

(a) See Nos. 432, 1414, 1532, 1542, 1594, 1597, 1608, 1609, 1610, 1613, 1614, 1616, 1619, 1620, 1621, 1623.

July 1, 1870.
Vol. 16, p. 182.

Certain entries of public lands in Alabama confirmed.

No. 1618.—AN ACT to confirm entries of public land in certain cases in the State of Alabama.

Proviso.

Be it enacted, &c., That in cases where entries were made in the State of Alabama under the act of Congress approved the fourth of August, eighteen hundred and fifty-four, entitled "An act to graduate and reduce the price of the public lands to actual settlers and cultivators," and the parties in good faith went upon the land embraced in their entries, and became actual settlers and cultivators thereof, according to the requirements of the law, but were afterward forced to abandon their homes on the land, in consequence of the disturbed condition of the country during the late war, their entries shall be confirmed and patented to them, their heirs or assigns, respectively, notwithstanding such abandonment, on satisfactory proof of the facts being produced to the Commissioner of the General Land Office, within twelve months from the approval of this act: *Provided*, That nothing in this act shall be so construed as to confirm any entries which have heretofore been annulled and vacated by said Commissioner, on account of fraud, evasion of law, or other special cause: *And provided further*, That this act shall not affect the rights of subsequent purchasers in good faith. (a)

(a) See Nos. 433, 730, 1266, 1279, 1281, 1293, 1301, 1323, 1422, 1428, 1429, 1436, 1441, 1448, 1450, 1470, 1516, 1545, 1598, 1602, 1609.

March 3, 1871.
Vol. 16, p. 580.

Former land grant to Alabama for railroads renewed.

No. 1619.—AN ACT to renew certain grants of land to the State of Alabama.

Be it enacted, &c., That the grant of lands made to the State of Alabama by the act of Congress approved June three, eighteen hundred and fifty-six, entitled "An act granting public lands, in alternate sections, to the State of Alabama, to aid in the construction of certain railroads in said State," to assist in the building of a railroad from the city of Montgomery, Alabama, to some point on the Alabama and Ten-

nessee State line, in the direction of Nashville, is hereby revived and renewed for the use and benefit of the South and North Alabama Railroad Company, subject to all the conditions and restrictions contained in the act referred to, and subject to the further limitation, that if the said railroad is not completed within three years from the passage of this act no further sale shall be made for the benefit of said road, and the lands unsold shall revert to the United States: *Provided*, That the lands granted by the act hereby revived, except mineral lands, shall be sold to actual settlers only, in quantities not greater than one quarter-section to any one purchaser, and for a price not exceeding two dollars and fifty cents per acre.

If road is not completed in three years, lands unsold to revert.

Proviso.

SEC. 2. That the right, power, and authority is hereby given to the company building the aforesaid railroad to take from the public lands, adjacent to the lines of said railroad, earth, stone, and other materials for the construction thereof; and the right of way is hereby granted to the extent of one hundred feet in width on each side of said railroad where it may pass over the public lands, including all necessary grounds for stations and structures connected therewith, not exceeding forty acres at any one station. (a)

Right granted to take materials from adjacent public lands.

Right of way, with grounds for stations.

(a) See Nos. 432, 1414, 1532, 1542, 1594, 1597, 1608, 1609, 1610, 1613, 1614, 1616, 1617, 1620, 1621, 1623.

No. 1620.—AN ACT relating to certain lands in the State of Alabama.

May 23, 1872.
Vol. 17, p. 159.

Be it enacted, &c., That all the lands heretofore certified to the State of Alabama by the Commissioner of the General Land Office for the benefit of the railroad from Selma to Gadsden, then known as the Alabama and Tennessee River Railroad, under act of Congress, entitled "An act granting public lands in alternate sections to the State of Alabama to aid in the construction of certain railroads," approved June third, eighteen hundred and fifty-six, be, and the same are hereby, confirmed to the said State of Alabama for the sole use and benefit of the Selma, Rome, and Dalton Railroad Company, the successors of the said Alabama and Tennessee Railroad Company.

Certain lands confirmed to the State of Alabama for the use of the Selma, &c., Railroad Company.

SEC. 2. That the right of way and use of a strip of land one hundred feet in width from the centre and on each side of the said railroad, as the same is now located and constructed, upon and over any lands of the United States in the State of Alabama, be, and the same is hereby, granted to the said Selma, Rome, and Dalton Railroad Company. (a)

Right of way to said road over any public lands in Alabama.

(a) See Nos. 432, 1414, 1532, 1542, 1594, 1597, 1608, 1609, 1610, 1613, 1614, 1616, 1617, 1619, 1621, 1623.

No. 1621.—AN ACT granting the right of way through the public lands to the Pensacola and Louisville Railroad Company of Alabama.

June 8, 1872.
Vol. 17, p. 340

Be it enacted, &c., That the right of way through the public lands be, and the same is hereby, granted to the Pensacola and Louisville Railroad Company of Alabama, for the construction of a railroad. And the right is hereby granted to said corporation to take, from the public lands adjacent to the line of said road, material for the construction of said road. Said way is granted to said company to the extent of one hundred feet on each side of said road where it may pass through the public lands; also the necessary lands for stations, buildings, depots, workshops, machine-shops, side-tracks, switches, turn-tables, and water-stations, not to exceed forty acres in any place. The acceptance of the provisions of this act by the said company, and a map of the location of the road, and the lands to be reserved for buildings and uses of said road, shall be filed with the Secretary of the Interior, within one year from the passage of this act; and the road shall be finished within five years from the passage of this act. Said road shall be a post and military road, and shall have the power of making running connections for the transportation of mails, military and naval supplies, passengers, and freights of all kinds, and the running of freight cars, without the breaking of bulk, whenever the interests of the public and of commerce between the States will be advanced thereby, with any other road which has heretofore received, or may hereafter receive, aid from the United States for the construction thereof, on fair and equitable terms, and pro rata between the roads, in proportion to the length of the several roads; and in the event of a disagreement between the said road

Right of way through public lands and to take materials, granted to the Pensacola and Louisville Railroad Company of Alabama.

Extent of grant. Acceptance of this act to be filed.

Road to be completed within, &c., and to be a post road, &c.

May make certain running connections.

Rates therefor.

Act may be al-
tered.
Pre-emption,
&c., claims not
affected.

and any other road having so received aid from the United States for the construction thereof, and connecting with the said Pensacola and Louisville Railroad, then the Secretary of the Interior shall establish such rates for the transportation of mails, freights, and passengers, and running connections as are herein provided for, and also establish such regulations as may be requisite for the enforcement of the provisions of this act. Congress shall, in its discretion, have the power to alter, amend, or repeal this act. Nothing in this act shall be so construed as to invalidate the claim of any actual pre-emption or homestead settlers. (a)

(a) See Nos. 432, 1414, 1532, 1542, 1594, 1597, 1608, 1609, 1610, 1613, 1614, 1616, 1617, 1619, 1620, 1623.

June 23, 1874.
Vol. 18, p. 613.

No. 1622.—AN ACT for the relief of Joab Bagley.

Preamble.

Whereas, it is alleged that on the thirtieth day of September, eighteen hundred and fifty-eight, under and by virtue of an act of Congress approved March third, eighteen hundred and fifty-five, land warrant numbered ninety-five thousand one hundred and sixteen, for one hundred and twenty acres of land, was issued to one James McAdory, and by him afterward duly sold and assigned to Joab Bagley, a citizen of Jefferson County, in the State of Alabama, who, on the twenty-first day of September, eighteen hundred and sixty-two, located the said land warrant in the purchase of the southwest quarter of the southwest quarter and the south half of the northeast quarter of section six, township eighteen, range two west, in the Tuscaloosa land district, in the State of Alabama; which said location of said land warrant is alleged to have been made in good faith, but under a law (or pretended law) of the State of Alabama authorizing the location of land warrants in said State, and whereas, it is alleged that said land warrant has been lost or destroyed, and that the same has not been returned to or filed in the office of the Commissioner of the General Land Office, but that notice of the loss thereof has been given to the said Commissioner of the General Land Office: Therefore,

To confirm title
to land of Joab
Bagley.

Be it enacted, &c., That upon the payment by said Joab Bagley, of the minimum price to the proper officer of the Government of the United States for said land, to wit, the southwest quarter of the southwest quarter and the south half of the northeast quarter of section six, township eighteen, range two west, in the Tuscaloosa land district, in the State of Alabama, as by law required, estimating the said land warrant at its value, to wit, one dollar and twenty-five cents per acre, the balance to be paid in cash, the title of the said real estate be, and the same is hereby, confirmed in the said Joab Bagley, his heirs and assigns; and the Commissioner of the General Land Office is hereby authorized and required to issue letters-patent conveying the title to said lands to the said Joab Bagley.

Prior valid
claims not af-
fected.

SEC. 2. That this act shall not impair, make void, or in any way interfere with any prior valid claim to the said real estate in the preceding section described.

March 3, 1875.
Vol. 18, p. 509.

No. 1623.—AN ACT granting the right of way through the public lands to construct and maintain a railroad.

[Right of way granted to Jacksonville, Pensacola, and Mobile Railroad. See FLORIDA, No. 1712.]

FLORIDA.

No. 1624.—AN ACT supplementary to the act intituled "An act regulating the grants of land, and providing for the disposal of the lands of the United States, south of the State of Tennessee."

March 27, 1804.
Vol. 2, p. 803.

[Transcripts of the British records of West Florida to be evidence in certain cases. See MISSISSIPPI, No. 1268.]

No. 1625.—RESOLUTION AND ACTS relative to the occupation of the Floridas by the United States of America.

Jan. 15, 1811.
Vol. 3, p. 471.

Taking into view the peculiar situation of Spain, and of her American provinces; and considering the influence which the destiny of the territory adjoining the southern border of the United States may have upon their security, tranquillity, and commerce: Therefore,

The United States cannot, without inquietude, see the Floridas pass into the hands of a foreign power, &c.

Resolved, &c., That the United States, under the peculiar circumstances of the existing crisis, cannot, without serious inquietude, see any part of the said territory pass into the hands of any foreign power; and that a due regard to their own safety compels them to provide, under certain contingencies, for the temporary occupation of the said territory; they, at the same time, declare that the said territory shall, in their hands, remain subject to future negotiation. (a)

AN ACT to enable the President of the United States, under certain contingencies, to take possession of the country lying east of the river Perdido, and south of the State of Georgia and the Mississippi Territory, and for other purposes.

Jan. 15, 1811.
Vol. 3, p. 471.

Be it enacted, &c., That the President of the United States be, and he is hereby, authorized, to take possession of, and occupy, all or any part of the territory lying east of the river Perdido, and south of the State of Georgia and the Mississippi Territory, in case an arrangement has been, or shall be, made with the local authority of the said territory, for delivering up the possession of the same, or any part thereof, to the United States, or in the event of an attempt to occupy the said territory, or any part thereof, by any foreign government; and he may, for the purpose of taking possession, and occupying the territory aforesaid, and in order to maintain therein the authority of the United States, employ any part of the Army and Navy of the United States which he may deem necessary.

In case of an arrangement with the local authority, or an attempt by any foreign government to occupy it, the President authorized to take possession of the territory east of the Perdido, &c.

SEC. 2. *And be it further enacted,* That one hundred thousand dollars be appropriated for defraying such expenses as the President may deem necessary for obtaining possession as aforesaid, and the security of the said territory, to be applied under the direction of the President, out of any moneys in the Treasury not otherwise appropriated.

\$100,000 appropriated to defray the expenses of taking possession, &c.

SEC. 3. *And be it further enacted,* That in case possession of the territory aforesaid shall be obtained by the United States, as aforesaid, that until other provision be made by Congress, the President be, and he is hereby authorized to establish, within the territory aforesaid, a temporary government, and the military, civil, and judicial, powers thereof shall be vested in such person and persons, and be exercised in such manner as he may direct, for the protection and maintenance of the inhabitants of the said territory in the full enjoyment of their liberty, property, and religion. (a)

In case of taking possession, the President may establish a temporary government.

(a) See Nos. 1499, 1626, 1627, 1628, 1637, 1646, 1673, 1674.

No. 1626.—AN ACT to authorize the President of the United States to take possession of East and West Florida, and establish a temporary government therein.

March 3, 1819.
Vol. 3, p. 523.

Be it enacted, &c., That the President of the United States be, and he is hereby, authorized to take possession of, and occupy, the Territories of East and West Florida, and the appendages and appurtenances thereof; and to remove and transport the officers and soldiers of the king of Spain, being there, to the Havana, agreeably to the stipulations of a treaty between the United States and Spain, executed at Washington,

The President authorized to take possession of East and West Florida, &c.

He may employ the army, navy, and militia.

The President to appoint officers, and prescribe the manner of government of the Territories.

Revenue laws, and laws concerning the slave trade, extended to the Territories.

President to establish districts and appoint officers of the customs.

Appropriation.

When this act shall take effect.

on the twenty-second day of February, in the year one thousand eight hundred and nineteen, providing for the cession of said Territories to the United States; and he may, for these purposes, and in order to maintain in said Territories the authority of the United States, employ any part of the Army and Navy of the United States, and the militia of any State or Territory which he may deem necessary.

SEC. 2. *And be it further enacted*, That, until the end of the first session of the next Congress, unless provision for the temporary government of said Territories be sooner made by Congress, all the military, civil, and judicial, powers, exercised by the officers of the existing government of the same Territories, shall be vested in such person and persons, and shall be exercised in such manner, as the President of the United States shall direct, for the maintaining the inhabitants of said Territories in the free enjoyment of their liberty, property, and religion; and the laws of the United States, relative to the collection of revenue, and the importation of persons of colour, shall be extended to the said Territories; and the President of the United States shall be, and he is hereby, authorized, within the term aforesaid, to establish such districts, for the collection of the revenue, and, during the recess of Congress, to appoint such officers, whose commissions shall expire at the end of the next session of Congress, to enforce the said laws, as to him shall seem expedient.

SEC. 3. *And be it further enacted*, That the sum of twenty thousand dollars is hereby appropriated for the purpose of carrying this act into effect, to be paid out of any moneys in the Treasury not otherwise appropriated, and to be applied under the direction of the President of the United States.

SEC. 4. *And be it further enacted*, That this act shall take effect, and be in force, whenever the aforesaid treaty, providing for the cession of said Territories to the United States, shall have been ratified by the king of Spain, and the ratifications exchanged, and the king of Spain shall be ready to surrender said Territory to the United States, according to the provisions of said treaty. (a)

(a) See Nos. 1499, 1625, 1627, 1628, 1637, 1646, 1673, 1674.

March 3, 1821.
Vol. 3, p. 637.

President authorized to take possession of East and West Florida.

And remove Spanish troops, according to treaty.

May employ the army, navy, and militia.

Organization of government, as the President may direct.

Revenue laws, and laws prohibiting the importation of persons of color, to be in force.

President authorized to establish collection districts, and appoint officers.

No. 1627.—AN ACT for carrying into execution the treaty between the United States and Spain, concluded at Washington on the twenty-second day of February, one thousand eight hundred and nineteen.

Be it enacted, &c., That the President of the United States be, and he is hereby, authorized to take possession of, and occupy, the Territories of East and West Florida, and the appendages and appurtenances thereof; and to remove and transport the officers and soldiers of the King of Spain, being there, to the Havanna, agreeably to the stipulations of the treaty between the United States and Spain, concluded at Washington, on the twenty-second day of February, in the year one thousand eight hundred and nineteen, providing for the cession of said Territories to the United States; and he may, for these purposes, and in order to maintain in said Territories the authority of the United States, employ any part of the Army and Navy of the United States, and the militia of any State or Territory, which he may deem necessary.

SEC. 2. *And be it further enacted*, That, until the end of the first session of the next Congress, unless provision for the temporary government of said Territories be sooner made by Congress, all the military, civil, and judicial, powers exercised by the officers of the existing government of the same Territories, shall be vested in such person and persons, and shall be exercised in such manner, as the President of the United [States] shall direct, for the maintaining the inhabitants of said Territories in the free enjoyment of their liberty, property, and religion; and the laws of the United States relating to the revenue and its collection, subject to the modification stipulated by the fifteenth article of the said treaty, in favour of Spanish vessels and their cargoes, and the laws relating to the importation of persons of colour, shall be extended to the said Territories. And the President of the United States shall be, and he is hereby, authorized within the term aforesaid, to establish such districts for the collection of the revenue, and during the recess of Congress, to appoint such officers, whose commissions shall expire at the end of the next session of Congress, to enforce the said laws, as to him shall seem expedient.

SEC. 3. *And be it further enacted*, That the President of the United States be, and he is hereby, authorized to appoint, during the recess of the Senate, a commissioner and surveyor, whose commissions shall expire at the end of the next session of Congress, to meet the commissioner and surveyor who may be appointed on the part of Spain, for the purposes stipulated in the fourth article of said treaty; and that the President be, and he is hereby, further authorized to take all other measures which he shall judge proper, for carrying into effect the stipulations of the said fourth article.

President to appoint a commissioner and surveyor, &c.

President may take all other measures necessary, &c.

SEC. 4. *And be it further enacted*, That a board of three commissioners shall be appointed, conformably to the stipulations of the eleventh article of the said treaty: and the President of the United States is hereby authorized to take any measures which he may deem expedient for organizing the said board of commissioners, and, for this purpose, may appoint a secretary well versed in the French and Spanish languages, and a clerk; which appointments, if made during the recess of the Senate, shall, at the next meeting of that body, be subject to nomination for their advice and consent.

Board of three commissioners, according to the eleventh article of the treaty.

President may organize the board.

Secretary. Clerk.

SEC. 5. *And be it further enacted*, That the compensation of the respective officers, for whose appointment provision is made by this act, shall not exceed the following sums:

Compensation.

The commissioner to be appointed conformably to the fourth article, at the rate, by the year, of three thousand dollars.

Of commissioner under the fourth article.

To the surveyor, two thousand dollars.

Of surveyor.

To each of the three commissioners to be appointed conformably to the eleventh article of the treaty, three thousand dollars.

Of the commissioners under the eleventh article.

To the secretary of the board, two thousand dollars.

Of the secretary.

To one clerk, one thousand five hundred dollars.

Clerk.

SEC. 6. *And be it further enacted*, That, for carrying this act into execution, the sum of one hundred thousand dollars be, and hereby is, appropriated, to be taken from any moneys in the Treasury not otherwise appropriated. (a)

Appropriation of \$100,000.

(a) See Nos. 1499, 1625, 1626, 1628, 1637, 1646, 1673, 1674.

No. 1628.—AN ACT for the establishment of a Territorial government in Florida.

March 30, 1822.
Vol. 3, p. 654.

Be it enacted, &c., That all that territory ceded by Spain to the United States, known by the name of East and West Florida, shall constitute a Territory of the United States, under the name of the Territory of Florida.

East and West Florida, as ceded by Spain, to constitute the Territory of Florida.

SEC. 5. *And be it further enacted*, That * * * the governor and legislative council shall have no power over the primary disposal of the soil, nor to tax the lands of the United States, nor to interfere with the claims to lands within said Territory.

The governor and council have no power over, &c.

SEC. 9. *And be it further enacted*, That the following acts, that is to say, * * * "An act to prevent settlements being made on lands ceded to the United States until authorized by law," approved March third, one thousand eight hundred and seven: * * * and all other public laws of the United States, which are not repugnant to the provisions of this act, shall extend to, and have full force and effect in, the Territory aforesaid. (a)

What laws to be in force in the Territory.

(a) See Nos. 1499, 1625, 1626, 1627, 1637, 1646, 1673, 1674.

No. 1629.—AN ACT for ascertaining claims and titles to land within the Territory of Florida.

May 8, 1822.
Vol. 3, p. 709.

Be it enacted &c., That for the purpose of ascertaining the claims and titles to lands within the Territory of Florida, as acquired by the treaty of the twenty-second of February, one thousand eight hundred and nineteen, there shall be appointed, by the President of the United States, by and with the advice and consent of the Senate, three commissioners, who shall receive, as compensation for the duties enjoined by the provisions of this act, two thousand dollars each, to be paid quarterly, from the Treasury; who shall open an office for the adjudication of claims, at Pensacola, in the Territory of West Florida, and St. Augustine, in East Florida, under the rules, regulations, and conditions, hereinafter prescribed.

The President, &c., to appoint three commissioners for ascertaining claims and titles to lands in Florida.

Their pay.

To open an office at Pensacola.

To appoint secretary.

Duties of the secretary.

His compensation.

Secretary must be acquainted with the Spanish language: and take an oath.

Commissioners to take an oath, &c.

Time of the sessions of commissioners, &c.

Notice to be given of the time of the sessions, &c.

Session at St. Augustine to terminate on June 30, 1823.

Commissioners to forward a detail of their proceedings, &c.

Persons, &c., claiming title to lands under any patent, &c., dated previously to Jan. 24, 1818, valid, &c., and not rejected by the treaty ceding the Floridas, to file their claims, &c.

Claims to be recorded.

Fees.

Proviso.

Claims not filed prior to May 31, 1823, void.

Proviso.

Powers of the commissioners.

SEC. 2 *And be it further enacted*, That it shall be the duty of said commissioners to appoint a suitable and well qualified secretary, who shall record, in a well-bound book, all and every their acts and proceedings, the claims admitted, with those rejected, and the reason of their admission or rejection. He shall receive as a compensation for his services, one thousand two hundred and fifty dollars, to be paid quarterly, from the Treasury. He shall be acquainted with the Spanish language; and before entering on a discharge of the duties of his office, shall take and subscribe an oath, before some authority competent to administer it, that he will "*well and truly and faithfully discharge the duties assigned him, and translate all papers that may be required of him by the commissioners.*"

SEC. 3. *And be it further enacted*, That said commissioners previously to entering on a discharge of the duties assigned them, shall, before the judge of the Territorial court at Pensacola, or some other authority in his absence, competent to administer it, take an oath faithfully to discharge the duties of their offices, and shall commence and hold their sessions on or before the first Monday of July next, at Pensacola, and on the first Monday of January thereafter, at St. Augustine, for the ascertaining and determining of all claims to land within said Territories; notice of which shall be given, by said commissioners, in some newspaper printed at each place, or if there be no newspaper, at the most public places in said cities, respectively, of the time at which their sessions will commence, requiring all persons to bring forward their claims, with evidence necessary to support them. The session at St. Augustine shall terminate on the thirtieth of June, one thousand eight hundred and twenty-three, when said commissioners shall forward to the Secretary of the Treasury, to be submitted to Congress, a detail of all they have done, and deliver over to the surveyor all the archives, documents, and papers, that may be in their possession.

SEC. 4. *And be it further enacted*, That every person, or the heirs or representatives of such persons, claiming title to lands under any patent, grant, concession, or order of survey, dated previous to the twenty-fourth day of January, one thousand eight hundred and eighteen, which were valid under the Spanish Government, or by the law of nations, and which are not rejected by the treaty ceding the Territory of East and West Florida to the United States, shall file, before the commissioners, his, her, or their, claim, setting forth, particularly, its situation and boundaries, if to be ascertained, with the deraignment of title, where they are not the grantees, or original claimants; which shall be recorded by the secretary, and who, for his services, shall be entitled to demand from the claimants ten cents for each hundred words contained in said papers so recorded; he shall be also entitled to twenty-five cents for each subpoena issued: *Provided*, That if the amount so received shall exceed one thousand two hundred and fifty dollars, which is hereby declared the compensation for his services, the excess shall be reported to the commissioners, and be subject to their disposition; and said commissioners shall proceed to examine and determine on the validity of said patents, grants, concessions, and orders of survey, agreeably to the laws and ordinances heretofore existing of the governments making the grants, respectively, having due regard, in all Spanish claims, to the conditions and stipulations contained in the eighth article of a treaty concluded at Washington, between his Catholic Majesty, and the United States, on the twenty-second of February, one thousand eight hundred and nineteen; but any claim not filed previous to the 31st day of May, one thousand eight hundred and twenty-three, shall be deemed and held to be void and of none effect; *Provided, nevertheless, and be it further enacted*, That in all claims submitted to the decision of the commissioners, where the same land, or any part thereof, is claimed by titles emanating both from the British and Spanish Governments, the commissioners shall not decide the same, but shall report all such cases, with an abstract of the evidence, to the Secretary of the Treasury.

SEC. 5. *And be it further enacted*, That the commissioners shall have power to inquire into the justice and validity of the claims filed with them; and shall be, and are hereby, authorized to administer oaths, to compel the attendance of witnesses by subpoenas issued by the secretary, and the adduction of such testimony as may be wanted; they shall have access to all papers and records of a public nature relative to any land titles within said provinces, and to make transcripts thereof.

They shall examine into claims arising under patents, grants, concessions, and orders of survey, where the survey has been actually made previous to the twenty-fourth January, one thousand eight hundred and eighteen, whether they are founded upon conditions, and how far those conditions have been complied with; and if derived from the British Government, how far they have been considered valid under the Spanish Government; and if satisfied that said claims be correct and valid, shall give confirmation to them: *Provided*, That such confirmation shall only operate as a release of any interest which the United States may have, and shall not be considered as affecting the rights of third persons: *And provided*, That they shall not have power to confirm any claim or part thereof where the amount claimed is undefined in quantity, or shall exceed one thousand acres; but in all such cases shall report the testimony, with their opinions, to the Secretary of the Treasury, to be laid before Congress for their determination. Every witness attending under any process from the commissioners, shall be allowed one dollar a day, and one dollar for every twenty miles travel; to be paid by the party summoning him: *Provided, nevertheless*, That the commissioners shall not act on, or take into consideration, any British grant, patent, warrant, or order of survey, but those which are bona fide claimed and owned by citizens of the United States, and which have never been compensated for by the British Government. (a)

Proviso.

Proviso as to claims to be confirmed.

Fees to witnesses, &c.

Commissioners not to act on, &c., any British grant, &c., but those claimed and owned by citizens of the United States, &c.

The President and Senate to appoint a surveyor, &c.

Surveyor's duties.

Surveys at the expense of the claimants, &c.

Surveyor to appoint deputies.

None other than township lines to be run; and surveyor to reside, &c., as the President may direct.

Surveyor's fees for recording, &c.

SEC. 6. *And be it further enacted*, That there shall be appointed by the President of the United States, by and with the advice and consent of the Senate, a surveyor, who shall possess the power and authority, and receive the same salary, as by law appertains to the surveyor south of the State of Tennessee; but his duties shall not commence until the commissioners shall have examined and decided upon the claims in West Florida, who shall thereupon furnish the surveyor with a list of those admitted, and he shall thereupon proceed to survey the country, taking care to have surveyed, and marked, and laid down, upon a general plan, to be kept in his office, the metes and bounds of the claims so admitted; causing the same to be surveyed at the expense of the claimants, the price whereof shall be the same as is paid for surveying the public lands; but no surveyor shall charge for any line except such as may be actually run, nor for any line not necessary to be run. He shall appoint a suitable number of deputies, and shall fix and determine their fees: *Provided*, That the whole cost of surveying shall not exceed four dollars a mile: *And provided also*, That none other than township lines shall be run where the land is deemed unfit for cultivation: Said surveyor shall reside at such place as the President of the United States may direct, and shall keep his office there, and may charge the following fees, to wit: for recording the plat and surveys of private claims made by any of his deputies, twenty-five cents for each mile contained in the boundary of such survey, and twenty-five cents for any copy certified from the books of his office. (b)

(a) See Nos. 957, 961, 967, 1268, 1624, 1630, 1631, 1633, 1634, 1636, 1640, 1641, 1643, 1647, 1677, 1699, 1700, 1701, 1704, 1710.

(b) See Nos. 1630, 1632, 1678.

No. 1630.—AN ACT amending, and supplementary to, the "Act for ascertaining claims and titles to land in the Territory of Florida," and to provide for the survey and disposal of the public lands in Florida.

March 3, 1823.
Vol. 3, p. 754.

Be it enacted, &c., That the powers of the board of commissioners heretofore appointed, for ascertaining claims and titles to lands in the Territory of Florida, shall be confined, exclusively, to the examination of titles and claims in that portion of said Territory, heretofore known as West Florida; and that, for ascertaining titles and claims in East Florida, the President is hereby authorized, in the recess of the Senate, to appoint three commissioners, which appointments shall be of force until the end of the next session of Congress thereafter, who may appoint their secretary, and who, with their secretary, shall, within the district of East Florida, possess all the powers given by, perform all duties [duties] required, and shall, in all respects, be subject to, the provisions and restrictions of the act of the eighth of May, one thousand eight hundred and twenty-two, entitled "An act for ascertaining claims and titles to lands in the Territory of Florida," except [except] so far as the same is altered or changed by the provisions of this act; which board of commissioners, heretofore appointed, with that hereafter ap-

Powers of the present commissioners of claims to be confined to West Florida.

Three commissioners to be appointed for East Florida.

Commissioners pointed, shall hold their sessions, severally, at the place within their respective districts, heretofore designated by law; but may adjourn to some other convenient place within their district, and may continue their sessions until the second Monday in February next, when they shall make a return of their proceedings to the Secretary of the Treasury, to be laid before Congress.

Claims in favor of actual settlers at the time of cession to be confirmed. SEC. 2. *And be it further enacted*, That, in the examination of titles to land before either of said boards of commissioners, the claimant or claimants shall not be required to produce in evidence the deraignment of title from the original grantee or patentee, but the commissioners shall confirm every claim in favour of actual settlers at the time of session [cession] of the said Territory to the United States, where the quantity claimed does not exceed three thousand five hundred acres, where such deraignment cannot be obtained, the validity of which has been recognised by the Spanish Government, and where the claimant or claimants shall produce satisfactory evidence of his, her, or their, right to the land claimed: And said commissioners shall have the power, any law to the contrary notwithstanding, of deciding on the validity of all claims derived from the Spanish Government in favour of actual settlers, where the quantity claimed does not exceed three thousand five hundred acres.

Compensation of commissioners. SEC. 3. *And be it further enacted*, That each of the commissioners heretofore appointed, who has performed, and shall hereafter perform, the duties assigned him, shall receive compensation in proportion to that heretofore allowed him. And each of the commissioners hereafter appointed for East Florida, who shall actually perform the duties assigned him, shall receive the sum of two thousand dollars, as a full compensation, payable quarterly, from the Treasury of the United States.

District attorneys to attend the commissioners when required. SEC. 4. *And be it further enacted*, That it shall be the duty of the district attorneys for said districts, respectively, whenever required to do so by the commissioners within his district, to attend them for the purpose of arguing and explaining any points of law that may be deemed necessary to be examined; and said attorney shall be entitled to the same compensation therefor as when attending on the district court of said Territory.

Claims not filed on or before 1st December next, to be void. SEC. 5. *And be it further enacted*, That all claims not filed with the commissioners of the district, where the land claimed is situated, in the manner prescribed by the act to which this is an amendment, on or before the first day of December next, shall be held to be void and of none effect.

Marshal to execute and make return of process. SEC. 6. *And be it further enacted*, That it shall be the duty of the marshal [marshal] to execute and make return of all process which may be issued by the said commissioners, or the commissioners may, where they deem it necessary, authorize and empower any other person to execute and return said process. (a)

Surveyor to be appointed. SEC. 7. *And be it further enacted*, That, so soon as the commissioners shall have decided and reported on the private claims in said Territory of Florida, a surveyor shall be appointed for the Territory of Florida, who shall keep his office at such place, within the said Territory, as the President of the United States shall designate; and shall receive the sum of two thousand dollars, payable quarterly, at the Treasury of the United States. (b)

His salary. Land offices to be established. SEC. 8. *And be it further enacted*, That, for the disposal of the lands of the United States lying in the district of East Florida, a land office shall be established and kept at such place, within said district, as the President of the United States shall direct; and that, for the disposal of the lands of the United States lying in the district of West Florida, a land office shall be established at such place, in said district, as the President of the United States shall direct. (c)

When land offices are to be opened. SEC. 9. *And be it further enacted*, That, so soon as, in the opinion of the President of the United States, there shall be a sufficient quantity of the public lands surveyed, within either of the districts of East or West Florida, to authorize the opening of one or both of the land offices aforesaid, he shall cause the same to be opened, and shall proceed, from time to time, to appoint, with the advice and consent of the Senate, for each of the said offices, a register and receiver of the public moneys, who shall give security, in the same sums, and in the same manner, and whose compensation, emoluments, duties, and authority, shall, in every respect, be the same, in relation to the lands to be disposed of at their

offices as are or may be provided by law in relation to the registers and receivers of public moneys, in the several land offices established for the disposal of the public lands of the United States.

SEC. 10. *And be it further enacted*, That, whenever a land office shall have been established in either of the districts aforesaid, and a register and receiver of public moneys appointed for the same, the President of the United States shall be, and he is hereby, authorized to direct so much of the public lands, lying in such district, as shall have been surveyed according to law, to be offered for sale, in the same manner, and with the same reservations and exceptions, and on the same terms and conditions, in every respect, as have been or may hereafter be, provided for the sale of the public lands of the United States. (d)

SEC. 11. *And be it further enacted*, That an entire township, in each of the districts of East and West Florida, shall be reserved from sale, for the use of a seminary of learning, to be located by the Secretary of the Treasury. (e)

SEC. 12. *And be it further enacted*, That all the navigable rivers and waters in the districts of East and West Florida shall be, and forever remain, public highways.

SEC. 13. *And be it further enacted*, That so much of the act, approved the eighth day of May, one thousand eight hundred and twenty-two, entitled "An act for ascertaining claims and titles to land in the Territory of Florida," as is inconsistent with the provisions of this act, be, and the same is hereby, repealed; and so much thereof as provides for the appointment of a surveyor-general, and allows him to charge fees, is hereby repealed. (a)

(a) See Nos. 957, 961, 967, 1268, 1624, 1629, 1631, 1633, 1634, 1636, 1640, 1641, 1647, 1677, 1699, 1700, 1701, 1704, 1710.

(b) See Nos. 1629, 1632, 1678.

(c) See Nos. 1632, 1667, 1688, 1689, 1708.

(d) See Nos. 1635, 1651, 1652, 1667, 1670, 1672, 1684, 1691, 1692, 1695, 1713, 1714.

(e) See Nos. 1639, 1655, 1674.

No. 1631.—AN ACT to extend the time limited for the settlement of private land claims in the Territory of Florida.

Feb. 28, 1824.
Vol. 4, p. 6.

Be it enacted, &c., That the time limited for the settlement of private land claims in the Territory of Florida, by an act of the Seventeenth Congress, entitled "An act amending, and supplementary to, the act for ascertaining claims and titles to land in the Territory of Florida, and to provide for the survey and disposal of the public lands in Florida, be, and the same is hereby, extended and enlarged, until the first day of January next, when the commissioners for ascertaining claims and titles to the lands aforesaid shall make a return of their proceedings to the Secretary of the Treasury, to be laid before Congress.

SEC. 2. *And be it further enacted*, That the claimant or claimants shall not be required to produce, in evidence, a deraignment of title from the original grantee or patentee, but the exhibition of the original title papers, agreeably to the fourth section of an act, passed the eighth of May, eighteen hundred and twenty-two, entitled "An act for ascertaining claims and titles to lands within the Territory of Florida," with the deed or devise, to the claimant, and the office abstract or abstracts of the intermediate conveyances for the last ten years preceding the surrender of Florida to the United States; and, where they cannot be produced, their absence being satisfactorily accounted for, shall be sufficient evidence of the right of the claimant or claimants to the land so claimed as against the United States: *Provided*, The claim be defined in quantity, and the amount does not exceed the quantity limited in the second section of the act which this is intended to extend; *And provided*, The conditions required by the laws and ordinances of the Spanish Government, and the treaty between Spain and the United States, shall have been complied with.

SEC. 3. *And be it further enacted*, That no person shall be taken and deemed to be an actual settler, within the provisions of the "act amending, and supplementary to, an act for ascertaining claims and titles to land in the Territory of Florida," passed on the third day of March, one thousand eight hundred and twenty-three, unless such person, or those under whom he claims title, shall have been in the cultivation, or occupation, of the land, at and before the period of the cession.

The act amending, &c., the act for ascertaining the titles to land in Florida, to be extended.

The claimant or claimants not required to produce in evidence a deraignment of title from the original grantee or patentee, &c.

Proviso.

Proviso.

No person to be deemed an actual settler within the provisions of the act of March 3, 1823, unless he be an occupier, &c.

Part of act repealed.

SEC. 4. *And be it further enacted*, That so much of the act of which this is an amendment, as authorizes the secretary of said commissioners to demand and receive from the claimants ten cents per hundred words for recording titles to land, be, and the same is hereby repealed.

Secretaries of commissioners having received \$1,250, required to pay over such fees as have been demanded and received by them.

SEC. 5. *And be it further enacted*, That the former secretaries, or those who may now be secretaries, to the said boards of commissioners, who shall have received their salary of one thousand two hundred and fifty dollars, from the Treasury of the United States, which is, by law declared to be their full compensation, shall be, and they are hereby, required to pay over, respectively, to the commissioners, conformably with the provisions of the original law, all such fees as have been demanded, and received by them, which shall be appropriated to defray the expenses of the commission.

So much of the acts of which this is amendatory, as makes void all claims not filed before Dec. 1, 1823, to be repealed.

SEC. 6. *And be it further enacted*, That so much of the acts of which this is amendatory, as makes void all claims not filed before the first day of December, one thousand eight hundred and twenty-three, be, and the same is hereby, repealed; and it shall be lawful for claims to be filed any time previous to the first day of September next; but all and every claim not filed by that time, shall be held and deemed void and of none effect.

Compensation of the commissioners.

SEC. 7. *And be it further enacted*, That each of the commissioners heretofore appointed, or who may hereafter be appointed, who has performed, and shall hereafter perform, the duties assigned him, shall receive, from the first Monday in February until the first day of January next, at the rate of two thousand dollars per annum, in full compensation for his services. (a)

(a) See Nos. 957, 961, 967, 1268, 1624, 1629, 1630, 1633, 1634, 1636, 1640, 1641, 1643, 1647, 1677, 1699, 1700, 1701, 1704, 1710.

May 24, 1824.
Vol. 4, p. 30.

No. 1632.—AN ACT providing for a grant of land for the seat of government in the Territory of Florida, [Florida,] and for other purposes.

One quarter-section of land granted to the Territory of Florida for the seat of government.

Be it enacted, &c., That there shall be, and hereby is, granted to the Territory of Florida, one entire quarter-section of land, or fractional section, not exceeding in quantity one quarter-section, for the seat of government in that Territory, to be located previously to the sale of the adjacent lands, under the authority of the governor thereof, at the point selected for the permanent seat of government for said Territory.

The governor, &c., to adopt such measures for the sale of said land, as they may deem expedient.

SEC. 2. *And be it further enacted*, That the governor and legislative council of the Territory aforesaid, or a majority thereof, be, and they are hereby, authorized to adopt such measures as to them may seem expedient for the sale of said tract of land, or any part thereof, for the purpose of raising a fund for the erection of public buildings at said seat of government.

Three entire quarter-sections to be reserved for the United States.

SEC. 3. *And be it further enacted*, That there shall be, and hereby are, reserved from sale, three entire quarter-sections of lands of the United States, lying contiguous to, and adjoining, the quarter-section granted by the first section of this act, to be located by the governor of said Territory. (a)

Part of the 7th section of the act of March 3, 1823, repealed.

SEC. 4. *And be it further enacted*, That so much of the seventh section of the act of Congress, of the third of March, one thousand eight hundred and twenty-three, entitled "An act amending and supplementary to the act entitled 'An act to provide for the survey and disposal of the public lands in Florida,'" as prevents the appointment of a surveyor for Florida until the commissioners shall have decided and reported on the private claims in said Territory, be, and the same is hereby, repealed; (b) and the eastern and western land districts in said Territory shall be divided and separated by the Suwaney River, and not by the ancient line of division between the provinces of East and West Florida, as prescribed by the eighth section of the act aforesaid. (c)

(a) See Nos. 1640, 1642, 1674.

(b) See Nos. 1629, 1630, 1678.

(c) See Nos. 1630, 1667, 1668, 1689, 1708.

No. 1633.—AN ACT granting donations of land to certain actual settlers in the Territory of Florida.

May 26, 1824.
Vol. 4, p. 47.

Be it enacted, &c., That the commissioners for ascertaining titles and claims to lands in Florida, be, and they are hereby, authorized and required, within their respective districts, and in addition to their former duties, to receive and examine all claims that may be presented to them, and the evidence in support of each of such claims, founded on habitation and cultivation of any tract of land, town, or city lot, or out-lot, by any person, being the head of a family, and twenty-one years of age, who, on the twenty-second day of February, one thousand eight hundred and nineteen, actually inhabited and cultivated such tract of land, or actually cultivated and improved such lot, or who, on that day, cultivated any tract of land in the vicinity of any town or city, having a permanent residence in such town or city, in said Territory; and to grant certificates of confirmation for any tract of land thus inhabited and cultivated, or cultivated by any person of the above description, residing in any town or city in the vicinity of the tract so cultivated; which land shall be located in an entire body, as nearly as possible, in conformity to the surveys of the contiguous public lands, and so as to embrace the principal improvements then made on any tract so claimed, and shall not exceed in quantity six hundred and forty acres: And it shall also be the duty of said commissioners to receive claims to land founded on habitation and cultivation, commenced between the twenty-second of February, one thousand eight hundred and nineteen, and the seventeenth of July, one thousand eight hundred and twenty-one, when Florida was surrendered to the United States, and evidence in support of the same; and to report an abstract of all such claims to Congress, and of the claims by them confirmed, to the Secretary of the Treasury; and the claims merely reported on, shall be laid before Congress at their next session, with the evidence of the time, nature, and extent, of such inhabitation and cultivation, in each case, and the extent of the claim: *Provided*, That no claim shall be received, confirmed, or reported, to Congress, by the said commissioners, for confirmation, in favour of any person, or the legal representatives of any person, who claims any tract of land in said Territory, by virtue of any written evidence of title derived from either the British or Spanish Government. (a)

The commissioners for ascertaining titles to lands in Florida, authorized and required to receive and examine all claims presented to them within their respective districts.

Duty of said commissioners.

Proviso.

(a) See Nos. 957, 961, 967, 1268, 1624, 1629, 1630, 1631, 1634, 1636, 1640, 1641, 1643, 1647, 1677, 1699, 1700, 1701, 1704, 1710.

No. 1634.—AN ACT to extend the time for the settlement of private land claims in the Territory of Florida, to provide for the preservation of the public archives in said Territory, * * *

March 3, 1825.
Vol. 4, p. 125.

SEC. 2. *And be it further enacted*, That the commissioners appointed to ascertain claims and titles to land in East Florida, be, and they are hereby, authorized to continue their session until the first Monday of January, one thousand eight hundred and twenty-six, under the same laws, ordinances, and regulations, heretofore established for their government.

The commissioners of land claims in East Florida, to continue their session.

SEC. 3. *And be it further enacted*, That so much of the act, entitled "An act to extend the time limited for the settlement of private land claims in Florida," as renders void all claims to land in said Territory, not filed on or before the first day of September, one thousand eight hundred and twenty-four, be, and the same is hereby, repealed, and it shall be lawful for claims to be filed before the board of commissioners in East Florida, any time prior to the first day of November, one thousand eight hundred and twenty-five.

Part of the act extending the time for the settlement of private land claims in Florida, repealed.

SEC. 4. *And be it further enacted*, That there shall be appointed two additional clerks to the board of commissioners of East Florida, to each of whom shall be allowed the sum of seven hundred dollars, to be paid quarterly by the Treasury of the United States.

Two additional clerks for the board of commissioners of East Florida.

SEC. 5. *And be it further enacted*, That each of the commissioners appointed for the examination of claims in East Florida, be allowed at the rate of two thousand dollars per annum, in full for their services, to be paid quarterly at the Treasury of the United States, out of any money in the Treasury not otherwise appropriated: *Provided, however*, That no one of said commissioners shall be entitled to draw any portion of the compensation hereby allowed him, except on showing an actual and faithful performance of the duties required of him.

Compensation of the commissioners.

Proviso.

Duty of the late commissioners and their clerk.

Duty of the register and receiver.

Claimants, where their claims have not heretofore been decided on, permitted to file them, &c., with the register and receiver, before Nov. 1.

The register and receiver empowered to appoint their clerk.

The President to appoint two keepers of the public archives in Florida.

Officers to give bond and security for the faithful performance of their duties.

Officers to cause a complete translation, &c., of the Spanish records having relation to land claims.

Officers to deliver copies or translations to individual applicants.

Appropriation.

SEC. 6. *And be it further enacted*, That, it shall be the duty of the late commissioners for the examination of titles and claims to lands in West Florida, and of their clerk, to deliver to the register and receiver of the land office for the western land district of Florida, all records, evidence, and papers, in the possession of them, or either of them, relating to said titles and claims. And it shall be the duty of said register and receiver to examine and decide on all titles and claims to land in West Florida, not heretofore decided upon by said commissioners, subject to the limitations, and in conformity with the provisions of the acts of Congress heretofore passed on that subject.

SEC. 7. *And be it further enacted*, That the several claimants to lands, in said district, where claims have not been heretofore decided on, be permitted to file their claims, and the evidence in support of them, with the register and receiver of said district, at any time before the first day of November next, whose duty it shall be to report the same, with their decision thereon, to the Secretary of the Treasury, on or before the first day of January next, to be laid before Congress at the next session.

SEC. 8. *And be it further enacted*, That the said register and receiver shall have power to appoint their clerk, and prescribe his duties, and who shall be allowed, in full compensation for his services, the sum of eight hundred dollars, and said register and receiver shall each be allowed the sum of one thousand dollars for the performance of the duties required of them by this act, which said several sums of money shall be paid said register and receiver, and their clerk, out of any money in the Treasury not otherwise appropriated, whenever the business is completed, and the report approved by the Secretary of the Treasury.

SEC. 9. *And be it further enacted*, That the President of the United States be, and he is hereby, authorized to appoint two officers, to be called the keepers of the public archives in the Territory of Florida, one of whom shall keep his office at St. Augustine, in East Florida, and the other at Pensacola, in West Florida.

SEC. 10. *And be it further enacted*, That the said officers shall each give bond and security in the sum of twenty thousand dollars, for the safe-keeping and preservation of the said archives, and for the faithful performance of the duties of their respective offices, and the translation of such of the records and documents as are hereinafter provided for, and shall each receive a salary of five hundred dollars, to be paid quarterly from the Treasury of the United States.

SEC. 11. *And be it further enacted*, That the said officers shall cause to be made a faithful and complete translation and record of all the Spanish records, and documents delivered to them, and having relation to land claims derived from the Spanish and British Governments, distinguishing and keeping separately those which relate to grants made within the district of Baton Rouge, Mobile, north of latitude thirty-one, and those made within the present limits of Florida; a complete descriptive list of each of which translations and records, when completed, shall be forwarded to the Secretary of the Treasury, and the said officers shall, severally, be entitled to receive from the Treasury of the United States, on the completion of the work, a compensation at the rate of ten cents for each hundred words by them translated and recorded.

SEC. 12. *And be it further enacted*, That the said officers shall make out and deliver to individual applicants, copies or translations of any documents in their said offices, on being paid for the same at the rate of six and one-fourth cents for each hundred words.

SEC. 13. *And be it further enacted*, That the several sums of money hereby appropriated, shall be paid out of any money in the Treasury not otherwise appropriated. (a)

(a) See Nos. 957, 961, 967, 1268, 1624, 1629, 1630, 1631, 1633, 1636, 1640, 1641, 1643, 1647, 1677, 1699, 1700, 1701, 1704, 1710.

April 22, 1826.
Vol. 4, p. 154.

Any person, &c., who on or before Jan. 1, 1825, cultivated, &c., a tract of

No. 1635.—AN ACT giving the right of pre-emption, in the purchase of lands, to certain settlers in the States of Alabama, Mississippi, and Territory of Florida.

Be it enacted, &c., That every person, or the legal representatives of any person, who, being either the head of a family, or twenty-one years of age, did, on or before the first day of January, in the year one thousand eight hundred and twenty-five, actually inhabit and cultivate a tract of land situated in the Territory of Florida, which tract is not

rightfully claimed by any other person, and who shall not have re-land in Florida, moved from the said Territory, shall be entitled to the right of pre-emption in the purchase thereof, under the same terms, restrictions, conditions, provisions and regulations, in every respect, as are directed by the act, entitled "An act giving the right of pre-emption, in the purchase of lands, to certain settlers in the Illinois Territory," passed February the fifth, one thousand eight hundred and thirteen: *Provided*, That no person shall be entitled to the provisions of this section, who claims any tract of land in said Territory, by virtue of a confirmation of the commissioners, or by virtue of any act of Congress.

&c., shall be entitled to the pre-emption in the purchase thereof, under the act of Feb. 5, 1813.

Proviso.

SEC. 2. *And be it further enacted*, That any person, or the legal representatives of any person, entitled to a preference in becoming the purchaser of a tract of land at private sale, according to the provisions of this act, who is settled on a fractional quarter-section, shall have the privilege of purchasing an adjoining quarter-section, or the fractional quarter-section, improved by them, at their option.

Any person, &c., settled on a fractional quarter-section, to have the privilege of purchasing an adjoining one.

SEC. 3. *And be it further enacted*, That, in cases where two or more persons entitled to the right of pre-emption shall be settled on one quarter, or fractional quarter-section of land, they shall be authorized to purchase one or more quarter-sections, which, with the quarter-section, or fractional quarter-section upon which such persons are settled, shall be equally divided between them, in such manner as the register and receiver shall direct, so as to secure, as far as may be practicable, to each person, their improvements, respectively: *Provided*, That in no instance shall any person be entitled to a preference in the purchase for more than one quarter-section of land, in addition to his portion of the fractional quarter-section on which he is settled. (a)

Where two or more persons have the right of pre-emption.

Proviso.

SEC. 4. *And be it further enacted*, That any person, or persons, who have settled on and improved any of the lands in the said Territory, reserved for the use of schools, and who would have had the right of pre-emption thereto by this law, had not the same been so reserved, shall have the right of pre-emption under the same terms and conditions, and subject to the same restrictions, provided for in other cases of a right of pre-emption in said Territory to a quarter-section of unappropriated lands in the same township, and as near adjacent as lands of like quantity can be obtained. (b)

Any person settled on, &c., any of the school lands, shall have the right of pre-emption, &c.

(a) See Nos. 1630, 1651, 1652, 1667, 1670, 1672, 1684, 1691, 1692, 1695, 1713, 1714.

(b) See Nos. 1642, 1649, 1665, 1668, 1674.

No. 1636.—AN ACT to confirm the reports of the commissioners for ascertaining claims and titles to lands in West Florida, and for other purposes.

April 22, 1826.
Vol. 4, p. 156.

Be it enacted, &c., That all the decisions made by the commissioners, appointed to ascertain claims and titles to lands in the district of West Florida, made in favour of claimants to lands and lots in said district, contained in the reports, opinions, and abstracts, of the commissioners, which have been transmitted to the Secretary of the Treasury, according to law, be, and the same are hereby, confirmed.

Decisions made by the commissioners appointed to ascertain claims, &c., to lands in West Florida, confirmed.

SEC. 2. *And be it further enacted*, That all the reports, abstracts, and opinions, made and forwarded by the two commissioners in said district, subsequently to the first day of January, eighteen hundred and twenty-five, the period at which that board expired by law, be, and the same are hereby, recognised as valid, and confirmed as aforesaid; and the said commissioners, and their secretary, shall be entitled to receive the same compensation as they were authorized to demand by law, prior to that day, up to the time at which the receiver and register took possession of their records, in obedience to an act of the third day of March, eighteen hundred and twenty-five, entitled "An act to extend the time for the settlement of private land claims, in the Territory of Florida," &c.

Reports recognized as valid, &c.

SEC. 3. *And be it further enacted*, That the Spanish claims contained in special reports, from one to thirty, reported in obedience to the fourth section of an act of Congress, approved May eighth, eighteen hundred and twenty-two, entitled "An act for ascertaining claims and titles to lands in the Territory of Florida," be, and the same are hereby, confirmed to the claimants in possession.

The Spanish claims contained in special reports, act of May 8, 1822, confirmed.

SEC. 4. *And be it further enacted*, That the claims to lots in report and abstract K, recommended for confirmation as equitable titles, with the exception of the last ten, be, and the same are hereby, declared valid and confirmed, and the claim of the Catholic inhabitants to a lot on

Claims to lots in report, &c., with the exception, confirmed, &c.

which the church stands, be, and the same is hereby, confirmed to them for that use, so long as it is occupied for that purpose.

Claims contained in the report of the register, &c., confirmed.

SEC. 5. *And be it further enacted*, That the claims contained in the report of the receiver and register, made to the Secretary of the Treasury, in obedience to a law of the last session of Congress, dated the thirteenth day of July, eighteen hundred and twenty-five, be, and the same are hereby, confirmed.

Location of the claim of Francisco and Fernando Moreno.

SEC. 6. *And be it further enacted*, That the claim of Francisco and Fernando Moreno, near Fort San Carlos de Barancas, shall be so located as not to interfere with the grounds reserved by the laws and ordinances of the Spanish Government, for forts, nor with that which has been lately selected for a navy-yard and naval depot, by the navy commissioners, and approved by the President of the United States.

Claims to lands in report L, with the exception of that on the square Ferdinand Seventh, confirmed, &c.

SEC. 7. *And be it further enacted*, That the claims to lots in report L, with the exception of that on the square Ferdinand Seventh, be, and the same are hereby, approved and confirmed, so far as the United States have any title to the same, without prejudice to the rights of the corporation: and the lots reserved for market house and other public uses, in the plan of the Constitutional Cabildo, are relinquished and confirmed to the corporation of Pensacola; and the lots reserved and granted for church, parish, vicar, school, and custom-house, are respectively set apart and confirmed, for the objects set forth in the decrees of said Cabildo, so far as the United States have any title to the same, without prejudice, as aforesaid: *Provided*, That no claim on the public squares of Seville, Ferdinand Seventh, and the square and garden on which the court-house stands, as laid off in said plan of the Cabildo, shall be allowed or recognised as valid, by this act; *And provided also*, That the confirmation of all the said claims provided for by this act, shall amount only to a relinquishment forever, on the part of the United States, of any claim whatever to the tract of land, so confirmed or granted.

Proviso.

Proviso as to certain claims.

Confirmation of all claims to amount, &c.

Lands fronting Pensacola Bay, &c., be reserved from sale for the use of the United States.

SEC. 8. *And be it further enacted*, That the lands fronting Pensacola Bay, from the mouth of the Big Bayou, to a line below Tartar Point, and thence back to the Bayou, selected by the navy commissioners, and all the lands fronting said bay, and for one mile back, as far as the Grand Lagoon, shall be reserved from sale or location, for the use of the navy-yard or depot, and for other public works of the United States.

Accounts of the commissioners of East and West Florida.

SEC. 9. *And be it further enacted*, That the proper accounting officers of the Treasury Department be, and they are hereby, authorized to receive and adjust the accounts of the commissioners appointed to ascertain claims and titles to lands in East and West Florida, for the contingent expenses of said commissioners, and to pay the same out of any money in the Treasury not otherwise appropriated. (a)

(a) See Nos. 957, 961, 967, 1263, 1624, 1629, 1630, 1631, 1633, 1634, 1640, 1641, 1643, 1647, 1677, 1699, 1700, 1701, 1704, 1710.

May 4, 1826.
Vol. 4, p. 157.

NO. 1637.—AN ACT to authorize the President of the United States to run and mark a line dividing the Territory of Florida from the State of Georgia.

The President of the United States to cause to be run and marked, the line dividing the Territory of Florida from the State of Georgia.

A commissioner to be appointed.

Proviso.

Compensation.

Be it enacted, &c., That the President of the United States of America be, and he is hereby, authorized, in conjunction with the constituted authorities of the State of Georgia, to cause to be run and distinctly marked the line dividing the Territory of Florida, from the State of Georgia, from the junction of the rivers Chatahoochie and Flint, to the head of St. Mary's River: and for that purpose he is hereby authorized to appoint a commissioner, or surveyor, or both, as in his opinion may be necessary: *Provided*, That the line so to be run and marked, shall be run straight from the junction of said rivers Chatahoochie and Flint, to the point designated as the head of St. Mary's River, by the commissioners appointed under the third article of the treaty of friendship, limits, and navigation, between the United States of America and the King of Spain, made at San. Lorenzo el Real, on the seven and twentieth day of October, one thousand seven hundred and ninety-five: *And provided also*, That the compensation to be allowed to the person or persons, so to be appointed by the President of the United States, shall not exceed in amount the compensation allowed by the government of Georgia to the person or persons appointed on its part, for the same object.

SEC. 2. *And be it further enacted*, That the person or persons, so to be appointed by the President of the United States, with such as have been or shall be appointed for the same purpose, on the part of the State of Georgia, after they, in conjunction, shall have run and distinctly marked said line, shall make two fair drafts, or maps thereof, both of which shall be certified by them, and one of which shall be deposited in the office of the Secretary of State for the United States, and the other delivered to the Governor of Georgia.

Two fair drafts or maps to be made and certified, &c.

SEC. 3. *And be it further enacted*, That for the purpose of carrying this act into execution, the sum of five thousand dollars be, and hereby is, appropriated, to be paid out of any money in the Treasury not otherwise appropriated. (a)

Appropriation.

(a) See Nos. 1409, 1625, 1626, 1627, 1628, 1646, 1673, 1674.

No. 1638.—AN ACT for the relief of William Hambly and Edmund Doyle.

May 16, 1826.
Vol. 6, p. 341.

Be it enacted, &c., That there be granted to William Hambly and Edmund Doyle, each, a tract of land of six hundred and forty acres, in one body, in lieu of tracts of the same quantity, which they respectively claimed, and were entitled to by the opinion of the commissioners for ascertaining claims and titles to land in West Florida, situated on the Appalachicola River, and which, by a late treaty with the Indians of the Territory of Florida, were reserved for chiefs, to be located on uninhabited lands, under the direction of the receiver and register of the land office of West Florida, within twelve months from the passage of this act; and that they be, respectively, entitled to patents for the same, upon the presentation of certificates of survey thereof, to the Commissioner of the General Land Office; and that, if the location be not made before the survey of the public lands, the said tract shall be bounded by sectional lines: *Provided*, That this act shall only be considered as a relinquishment of title on the part of the United States.

A tract of land granted to them, in lieu of, &c.

Proviso.

No. 1639.—AN ACT to provide for the location of the two townships of land reserved for a seminary of learning in the Territory of Florida, and to complete the location of the grant to the Deaf and Dumb Asylum of Kentucky.

Jan. 29, 1827.
Vol. 4, p. 201.

Be it enacted, &c., That the township of land reserved in the district of East Florida, by an act of Congress, approved the third day of March, one thousand eight hundred and twenty-three, for a seminary of learning, shall be located east of the Appalachicola River, and may be located in sections corresponding with any of the legal divisions into which the public lands are authorized to be surveyed, so as not to interfere with private land claims, or the rights of pre-emption; and the township located west of the Appalachicola River, as directed in the aforesaid act, so far as it is covered by the claims of those entitled to the right of pre-emption, by the act approved the twenty-second of April, one thousand eight hundred and twenty-six, shall be located in sections upon any unappropriated lands in said district of country, until the amount taken by said interferences shall be satisfied and discharged.

The township of land reserved for a seminary of learning, in the district of East Florida, by act of March 3d, 1823, to be located east of Appalachicola River, &c.

SEC. 2. *And be it further enacted*, That the governor and legislative council of said Territory shall have power to take possession of the lands granted for the use of schools and for a seminary of learning, and to lease the same from year to year; and the money arising from the rent of said lands shall be appropriated to the use of schools, and the erection of a seminary of learning, in such manner as they may direct; and they shall have power to pass laws for the preservation of said lands from intrusion, and trespass until Florida shall be admitted into the Union as a State. (a)

Power given to the governor to lease the same.

(a) See Nos. 1630, 1655, 1674.

Feb. 8, 1827.
Vol. 4, p. 202.

No. 1640.—AN ACT to provide for the confirmation and settlement of private land claims in East Florida, and for other purposes.

Decisions made by the commissioners appointed to ascertain claims, &c., to land in East Florida, contained in their reports, &c., transmitted to the Secretary of the Treasury, confirmed.

Certain conflicting Spanish claims confirmed.

Proviso.

Proviso.

Commons in the city of Saint Augustine confirmed to the corporation

Parochial church, &c., confirmed, &c.

Old Episcopal church lot relinquished.

Proviso.

Duty of the secretary of the late commissioners.

Duty of the register and receiver.

Claimants to lands whose claims have not been heretofore decided on, or filed, to file them at any time before the 1st of November next.

Receiver and register to receive each, as an annual compensation, \$1,500, and to appoint a clerk whose salary shall be \$1,000.

Keepers of the public archives to furnish to the surveyors of public lands in Florida, a description of each claim to land confirmed, which shall specially designate the quantity, &c., of such claim.

Be it enacted, &c., That all the decisions made by the commissioners appointed to ascertain claims and titles to land in the district of East Florida, and those recommended for confirmation, under the quantity of three thousand five hundred acres, in favour of claimants to lands and lots, contained in the reports, abstracts, and opinions, of said commissioners, which have been transmitted to the Secretary of the Treasury, according to law, and referred by him to Congress, on the twenty-first of February, eighteen hundred and twenty-five, and the twenty-first of February, eighteen hundred and twenty-six, be, and the same are hereby, confirmed.

SEC. 2. *And be it further enacted*, That all the conflicting Spanish claims, reported in obedience to the fourth section of an act of Congress, approved May the eighth, eighteen hundred and twenty-two, entitled "An act for ascertaining claims and titles to lands in the Territory of Florida," be, and the same are hereby confirmed; *Provided*, That this confirmation shall only operate as a relinquishment of the title of the United States: *Provided further*, That nothing in the foregoing sections shall be construed to prevent or bar the judicial decision between persons claiming titles to the lands confirmed.

SEC. 3. *And be it further enacted*, That the commons in the city of St. Augustine be, and the same are hereby, confirmed to the corporation of said city, to the same extent that they were used, claimed and enjoyed under the Spanish Government. And the parochial church and burying-ground in possession of the Roman Catholic congregation are confirmed to them: and the old Episcopal church lot is, hereby, relinquished and confirmed to the Incorporated Episcopal church of St. Augustine: *Provided always*, That the grants in this section specified shall forever inure to the purposes for which they are confirmed, and shall not be alienated without the consent of Congress.

SEC. 4. *And be it further enacted*, That it shall be the duty of the secretary of the late board of commissioners to deliver over to the receiver and register, to be appointed for the district of East Florida, all records, evidence, and papers, in the possession of said board, relating to claims and titles to land, in said district; and it shall be the duty of said receiver and register, to examine and decide all claims and titles to land, in East Florida, not heretofore decided by the late board of commissioners, subject to the limitations, and in conformity with the provisions of the several acts of Congress providing for the adjustment of private land claims in Florida.

SEC. 5. *And be it further enacted*, That the several claimants to land in said district, whose claims have not been heretofore decided on or filed, before the late board of commissioners, be permitted to file their claims, and the evidence in support of them, with the register and receiver of said district, and evidence in support of those filed before said board, at any time before the first of November next, whose duty it shall be to report the same, with their decision thereon, and those already filed, to the Secretary of the Treasury, on or before the first day of January, one thousand eight hundred and twenty-eight, to be laid before Congress at the next session.

SEC. 6. *And be it further enacted*, That the receiver and register shall have power to appoint a clerk, and prescribe his duties; and the receiver and register shall each be entitled to receive the sum of fifteen hundred dollars per annum, to be paid quarterly out of any money in the Treasury not otherwise appropriated, as a full compensation for the performance of their duties as receiver and register, and the additional duties required by this act, and shall not be allowed any other fees or commissions whatever; and the clerk appointed by them shall be allowed the sum of one thousand dollars, to be paid quarterly out of any money in the Treasury not otherwise appropriated.

SEC. 7. *And be it further enacted*, That the keepers of public archives of East and West Florida shall furnish to the surveyor of public lands in Florida, without delay, a description of each claim to land, which shall have been confirmed, which shall specially designate the quantity, locality and connection of such claim; and where the confirmation may have been made on a grant or survey, a copy of the courses and distances contained in such grant or survey, and the date of the survey or grant; and it shall be the duty of the surveyor of public lands in Florida, to cause, under such instructions as he may receive from the Treasury

Department, the said claims to be surveyed, and connected with the township lines of the public surveys, and to give to them their proper township and sectional numbers, agreeably to such descriptions; and he shall make separate plats and certificates of survey of the same, one of which shall be returned to the office of the register of the land office for the district in which the land may lie, and the other shall be delivered to the claimant. But it shall be the duty of the surveyor to withhold his certificate, if he shall have reason to believe that the lands claimed are other lands than those intended to be confirmed; or if it shall appear that the survey, under which the land is claimed, has been made subsequent to the date of the survey under which the claim was confirmed.

SEC. 8. *And be it further enacted*, That so soon as the said tracts of land shall have been thus surveyed, and the surveys thereof returned to the office of the proper register, it shall be the duty of the said register to issue certificates in favour of the claimants entitled thereto; and, if it shall appear, to the satisfaction of the Commissioner of the General Land Office, that the certificates have been fairly obtained, and correspond with the transcripts transmitted to the Secretary of the Treasury, and the plat returned by the surveyor, patents shall be granted, in like manner as is provided by law for the other public lands of the United States. Duty of the register to issue certificates in favor of claimants.

SEC. 9. *And be it further enacted*, That the surveyor of the public lands shall designate on the township plats the claims for which he shall have refused to issue his certificates of survey. Duty of the surveyor.

SEC. 10. *And be it further enacted*, That the expense of surveying all claims founded on surveys or grants shall be paid by the United States: Expense of surveying to be paid by the United States.
Provided, The same shall not exceed four dollars per mile, for every mile actually run and marked.

SEC. 11. *And be it further enacted*, That no patent shall issue, without the consent of the parties, for lands, the claims to which may have been confirmed on surveys, which interfere with each other, until a legal decision shall have been had on the same. Patents.

SEC. 12. *And be it further enacted*, That the holders of claims over three thousand five hundred acres, which have been filed with the commissioners, or with the register and receiver of the land office for West Florida, acting as commissioners for adjudicating on claims, or of claims which have been filed with the commissioners for adjudicating claims to land in East Florida, or which, under the provisions of this act, may be filed with the register and receiver of the land office for East Florida, and which claims have not been reported against by the said commissioners, or by the register and receiver, shall cause the same to be so connected with the township lines of the public surveys, and shall furnish to the surveyor of the public lands in Florida, such information as will enable him to exhibit, accurately, the said claims on his township plats, and the lands thus claimed shall be reserved from sale: Course to be pursued by the holders of claims over three thousand five hundred acres.
Provided, The information required to enable the surveyor to exhibit them on the township plats, shall have been furnished to him within one year after the lines of the townships, within which such claims may lie, shall have been run; or, where the township lines have already been run, within one year from the passage of this act. Proviso.

SEC. 13. *And be it further enacted*, That it shall be the duty of the register and receiver at Tallahassee, to deliver over to the keeper of the public archives of West Florida, all the records and papers of the late board of commissioners for West Florida; and it shall be the duty of the register and receiver of the land office for East Florida, to deliver to the keeper of the public archives of East Florida, all the records and papers of the late board of commissioners for East Florida, relating to claims confirmed by this act. (a) Duty of the register and receiver.

SEC. 14. *And be it further enacted*, That it shall be lawful for the governor and legislative council to sell one of the reserved quarter-sections of land, near Tallahassee, and apply the proceeds to the erection of public buildings; and it shall be lawful for them to reserve such portion of the quarter-section to the town of Tallahassee, contiguous to the creek and water-fall, as may, in their opinion, contribute to the health and convenience of the inhabitants; and they shall have power to pass laws for the preservation of, and expulsion from, the other two reserved quarter-sections, all intruders, and to abate all nuisances; which said two reserved quarter-sections shall be reserved for, and vested in, the State, should that Territory ever be erected into one. (b) The governor and legislative council to sell one of the reserved quarter-sections of land near Tallahassee, and apply the proceeds to the erection of public buildings.

Persons whose improvements were included in the reserves made to certain Indian chiefs in the treaty of Sept. 18th, 1823, entitled to a pre-emption to the same quantity of land. **SEC. 15.** *And be it further enacted,* That the three persons whose improvements were included in the reserves made to certain Indian chiefs, in the treaty with the Florida Indians, of the eighteenth of September, one thousand eight hundred and twenty-three, shall be entitled to a pre-emption to the same quantity of land, in said district, upon the same terms and conditions as other pre-emptions, to be located under the direction of the receiver and register, upon the production of proof that they would have been entitled to the provisions of the act granting the right of pre-emption, if the reserves had not been made.

(a) See Nos. 957, 961, 967, 1268, 1624, 1629, 1630, 1631, 1633, 1634, 1636, 1641, 1643, 1647, 1677, 1699, 1700, 1701, 1704, 1710.

(b) See Nos. 1632, 1642, 1674.

May 23, 1828.
Vol. 4, p. 284.

No. 1641.—AN ACT supplementary to the several acts providing for the settlement and confirmation of private land claims in Florida.

The three claims to land in the district of West Florida, contained in the reports of the commissioners, numbered 4, 8, and 10, excluding from the latter the land contained in certificate, and in the plats A. and C., &c., confirmed.

Be it enacted, &c., That the three claims to land in the district of West Florida, contained in the reports of the commissioners, and numbered four, eight, and ten, excluding from the latter the land contained in certificate, and in the plats A. and C., and the claims contained in the reports of the commissioners of East Florida, and in the reports of the receiver and register, acting as such, made in pursuance of the several acts of Congress providing for the settlement of private land claims in Florida, and recommended for confirmation by said commissioners, and by the register and receiver, be, and the same are hereby, confirmed to the extent of the quantity contained in one league square, to be located by the claimants, or their agents, within the limits of such claims or surveys filed, as aforesaid, before the said commissioners, or receiver and register, which location shall be made within the bounds of the original grant, in quantities of not less than one section, and to be bounded by sectional lines.

No more than the quantity of acres contained in a league square shall be confirmed within the bounds of any one grant, &c.

SEC. 2. *And be it further enacted,* That no more than the quantity of acres contained in a league square, shall be confirmed within the bounds of any one grant: and no confirmation shall be effectual until all the parties in interest, under the original grant, shall file with the register and receiver of the district where the grant may be situated, a full and final release of all claim to the residue contained in the grant: and where there shall be any minors incapable of acting within said Territory of Florida, a relinquishment by the legal guardian shall be sufficient; and thereafter the excess in said grants, respectively, shall be liable to be sold as other public lands of the United States.

All the decisions made by the register, &c., of the district of East Florida, as commissioners under act of Feb. 8, 1827, recommended for confirmation, confirmed.

SEC. 3. *And be it further enacted,* That all the decisions made by the register and receiver of the district of East Florida, acting *ex officio*, as commissioners, in pursuance of an act of Congress, approved the eighth of February, one thousand eight hundred and twenty-seven, authorizing them to ascertain and decide claims and titles to lands in the district, aforesaid, and those recommended for confirmation under the quantity of three thousand five hundred acres, contained in the reports, abstracts, and opinions, of the said register and receiver, transmitted to the Secretary of the Treasury, according to law, and referred by him to Congress, on the twenty-ninth January, one thousand eight hundred and twenty-eight, be, and the same are hereby, confirmed. The confirmations authorized by this act shall operate only as a release of any claim had by the United States, and not to affect the interest of third persons.

Register and receiver to examine and decide the remaining claims in East Florida, &c.

SEC. 4. *And be it further enacted,* That the said register and receiver shall continue to examine and decide the remaining claims in East Florida, subject to the same limitations and in conformity with the provisions of the several acts of Congress, for the adjustment of private land claims in Florida, until the first Monday in December next, when they shall make a final report of all the claims, aforesaid, in said district, to the Secretary of the Treasury; and it shall never be lawful, after that time, for any of the claimants to exhibit any further evidence in support of said claims. And the said register and receiver, and clerk, shall receive the compensation provided in the act aforesaid, to be paid out of any money in the Treasury not otherwise appropriated: *Provided,* That the extra compensation of one thousand dollars, each, which is hereby allowed to the register and receiver, for services under and by the provisions of this act, shall not be paid until a report of all the claims be made to the Secretary of the Treasury.

Proviso.

SEC. 5. *And be it further enacted,* That the proper accounting officers of the Treasury be, and they are hereby, authorize to adjust and pay the accounts of the register and receiver, acting as commissioners, their contingent expenses, and the receiver the compensation heretofore allowed for bringing their reports to Washington, out of any money in the Treasury not otherwise appropriated.

Accounting officers of the Treasury to adjust, &c., the accounts of the register and receiver, &c.

SEC. 6. *And be it further enacted,* That all claims to land within the Territory of Florida, embraced by the treaty between Spain and the United States of the twenty-second of February, one thousand eight hundred and nineteen, which shall not be decided and finally settled under the foregoing provisions of this act, containing a greater quantity of land than the commissioners were authorized to decide, and above the amount confirmed by this act: and which have not been reported, as antedated or forged by said commissioners, or register and receiver acting as such, shall be received and adjudicated, by the judge of the superior court of the district within which the land lies, upon the petition of the claimant, according to the forms, rules, regulations, conditions, restrictions, and limitations prescribed to the district judge, and claimants in the State of Missouri, by act of Congress, approved May twenty-sixth, eighteen hundred and twenty-four, entitled "An act enabling the claimants to lands within the limits of the State of Missouri, and Territory of Arkansas, to institute proceedings to try the validity of their claims:" *Provided,* That nothing in this section shall be construed to authorize said judges to take cognisance of any claim annulled by the said treaty, or the decree ratifying the same by the King of Spain, nor any claim not presented to the commissioners or register and receiver, in conformity to the several acts of Congress, providing for the settlement of private land claims in Florida.

Claims not decided and finally settled by the commissioners to be decided by the judge of the superior court of the district.

Proviso.

SEC. 7. *And be it further enacted,* That it shall be lawful for the claimants to lands, as aforesaid, to take an appeal, as directed in the act aforesaid, from the decision of the judge of the district, to the Supreme Court of the United States, within four months after the decision shall be pronounced; and the said judges shall each be entitled to receive the extra compensation given to the district judge of Missouri, for the performance of the duties required by this act, out of any money in the Treasury not otherwise appropriated.

Claimant may appeal to the Supreme Court of the United States within four months after the decision shall be pronounced, &c.

SEC. 8. *And be it further enacted,* That so much of the said act, the provisions of which, so far as they are applicable, and are not altered by this act, are hereby extended to the Territory of Florida, as subjects the claimants to the payment of costs in any case where the decision may be in favour of their claims, be, and the same is hereby, repealed; and the costs shall abide the decision of the cause as in ordinary causes before the said court. And so much of the said act as requires the claimants to make adverse claimants parties to their suits, or to show the court what adverse claimants there may be to the land claimed of the United States, be also hereby repealed.

Costs.

Repeal of certain provisions.

SEC. 9. *And be it further enacted,* That it shall be the duty of the attorney of the United States for the district in which the suits authorized by this act shall be instituted, in every case where the decision is against the United States, to make out and transmit to the Attorney-General of the United States, a statement, containing the facts of the case, and the points of law on which the same was decided: and it shall be the duty of the Attorney-General, in all cases where the claim exceeds one league square, and in all other cases, if he shall in such latter cases think the decision of the district judge is erroneous, to direct an appeal to be made to the Supreme Court of the United States, and to appear for the United States, and prosecute such appeal: which appeal in behalf of the United States may be granted at any time within six months after the rendition of the judgment appealed from, or at any time before the expiration of the term thereof, which may commence next after the expiration of said six months; and it shall be the further duty of the district attorney to observe the instruction given to him by the Attorney-General in that respect.

Attorney of the United States, for the district in which the suits authorized by this act shall be instituted, in every case where the decision is against the United States, to make out and transmit to the Attorney-General a statement containing the facts of the case, &c.

SEC. 10. *And be it further enacted,* That it shall be lawful for the President of the United States to appoint a law agent, whose special duty it shall be to superintend the interests of the United States in the premises, to continue him in place as long as the public interest requires his continuance; and to allow such pay to the agent as the President may think reasonable. It shall also be the duty of said agent to collect testimony in behalf of the United States, and to attend, on all occasions,

The President of the United States to appoint a law agent, to superintend, &c.

Duty of the agent.

when said claimants may take depositions; and no deposition so taken by them shall be read as evidence, unless said agent or district attorney shall have been notified, in writing, of the time and place of taking them, so long previous to said time as to afford to him an opportunity of being present.

The President to appoint assistant counsel.

SEC. 11. *And be it further enacted*, That it shall be lawful for the President to employ assistant counsel, if in his opinion the public interest shall require the same: and to allow to such counsel and the district attorney, such compensation as he may think reasonable.

Claims to lands, &c., within the purview of this act, forever barred after the passage of this act, if, &c.

SEC. 12. *And be it further enacted*, That any claims to lands, tenements, or hereditaments, within the purview of this act, which shall not be brought by petition before said court within one year from the passage of this act, or which, after being brought before said court, shall, on account of the neglect or delay of the claimant, not be prosecuted to a final decision within two years, shall be forever barred, both at law and in equity; and no other action at common law, or proceeding in equity, shall ever thereafter be sustained in any court whatever.

Decrees rendered by said district or Supreme Court United States to be conclusive, &c.

SEC. 13. *And be it further enacted*, That the decrees which may be rendered by said district, or the Supreme Court of the United States, shall be conclusive between the United States and the said claimants only, and shall not affect the interest of third persons. (a)

(a) See Nos. 957, 961, 967, 1262, 1624, 1629, 1630, 1631, 1633, 1634, 1636, 1640, 1643, 1647, 1677, 1699, 1700, 1701, 1704, 1710.

March 2, 1829.
Vol. 4, p. 357.

No. 1642.—AN ACT to authorize the establishment of a town, on land reserved for the use of schools, and to direct the manner of disposing of certain reserved quarter-sections of land for the seat of government in Florida.

Certain voters in Jackson County, Florida, to elect commissioners to lay off a town on school lands, &c.

Be it enacted, &c., That it shall and may be lawful for the qualified voters in township five, range eleven, north and west, in the county of Jackson, in the Territory of Florida, to elect, in such manner as may be directed by the county court of said county, three fit and discreet commissioners, who shall be, and they are hereby, authorized, by and with the consent of the voters of said township, to be obtained in such manner as the said county court shall direct, to lay off and establish a town on one quarter or two adjoining eighths of the sixteenth section of the township and range aforesaid, reserved by law for the use of schools, and to make sale of one-half of the lots at public auction; and the money arising from said sales shall be paid into the Territorial treasury, for the sole use and benefit of common schools in said township, which said sum shall be subject to such laws as may hereafter be passed, for forming a permanent fund from the said reserved lands, for the support of common schools; and the said commissioners shall give bond and security, to the satisfaction of the county court, for the performance of the duties under this act, and the payment of the money arising from the sales of the lots as aforesaid. (a)

To sell half the lots, &c.

For benefit of schools.

Commissioners to give bond and security.

Certain reserved lands granted to Florida.

SEC. 2. *And be it further enacted*, That the following quarter-sections of land which have been heretofore reserved from sale, to wit: the northeast and northwest quarters of section thirty-six, in township one, of range one, north and west; the northeast, southwest, and southeast quarters of section one, in township one, of range one, south and west; and the southwest quarter of section six, in township one, of range one, south and east, shall be granted to the Territory of Florida.

Governor and council to select two quarter-sections, &c.

SEC. 3. *And be it further enacted*, That the governor and legislative council of Florida, or a majority of them, be, and hereby are, authorized to select any two of the aforesaid quarter-sections of land, to be reserved for, and vested in, the State, should the Territory of Florida ever be erected into one, in conformity to the provisions of the fourteenth section of the act passed on the eighth of February, one thousand eight hundred and twenty-seven; and the residue of the above-described quarter-sections of land, or any part thereof, including so much of the northeast quarter of section one, in township one, of range one, south and west, contiguous to the creek and water-fall, as shall not be reserved, agreeably to the provisions of the act above mentioned, for the town of Tallahassee, shall be sold in such manner, and at such time, as the governor and legislative council of Florida may deem proper, and the proceeds applied to the erection of public buildings in Tallahassee; any act or acts to the contrary notwithstanding. (b)

Residue to be sold, &c.

Proceeds applied to public buildings in Tallahassee.

(a) See Nos. 1635, 1649, 1665, 1668, 1674.

(b) See Nos. 1632, 1640, 1674.

No. 1643.—AN ACT to provide for the final settlement of land claims in Florida.

May 26, 1830.
Vol. 4, p. 405.

Be it enacted, &c., That all the claims and titles to land filed before the register and receiver of the land office, acting as commissioners, in the district of East Florida, under the quantity contained in one league square, which have been decided and recommended for confirmation, contained in the reports, abstracts and opinions, of said register and receiver, transmitted to the Secretary of the Treasury, according to law, and referred by him to Congress, on the fourteenth day of January, one thousand eight hundred and thirty, be, and the same are hereby confirmed, with the exception of such claims as were confirmed by the Spanish Government, subsequent to the twenty-fourth of January, one thousand eight hundred and eighteen, which shall be re-examined and reported, with the evidence by the register and receiver, before the next session of Congress, to the Secretary of the Treasury, to be laid before Congress.

Certain claims confirmed, except, &c.

Report to be laid before Congress.

SEC. 2. *And be it further enacted,* That all the conflicting Spanish claims, reported in obedience to the fourth section of the act of Congress, approved May the eighth, one thousand eight hundred and twenty-two, and recommended for confirmation as valid titles, be, and the same are hereby, confirmed, so far as the United States have any title to the same.

Conflicting Spanish claims confirmed as to United States.

SEC. 3. *And be it further enacted,* That all claims derived from the former British Government, contained in the reports of the commissioners of East Florida, or the register and receiver, acting as such, who did not avail themselves of the provisions of the treaty between Spain and England, signed at Versailles on the twentieth of January, one thousand seven hundred and eighty-three, by leaving said province, but who remained in the same, and became Spanish subjects, and whose titles were approved by the Spanish authorities, and have been recommended for confirmation by said commissioners, or register and receiver, acting as such, be, and the same are hereby, confirmed.

Certain other claims confirmed.

SEC. 4. *And be it further enacted,* That all the remaining claims which have been presented according to law, and not finally acted upon, shall be adjudicated and finally settled upon the same conditions, restrictions, and limitations, in every respect, as are prescribed by the act of Congress, approved twenty-third May, one thousand eight hundred and twenty-eight, entitled "An act supplementary to the several acts providing for the settlement and confirmation of private land claims in Florida."

Remaining claims to be settled.

SEC. 5. *And be it further enacted,* That it shall be the duty of the register and receiver to deliver over all papers relative to private land claims in East Florida to the keeper of the public archives.

Disposition of papers relative to claims.

SEC. 6. *And be it further enacted,* That all confirmations of land titles, under this act, shall only operate as a relinquishment of the right of the United States to the said lands respectively, and shall not be construed either as a guarantee of any such titles, or in any manner affecting the rights of other persons to the same lands.

Operation of confirmation.

SEC. 7. *And be it further enacted,* That so much of the act of twenty-third of May, one thousand eight hundred and twenty-eight, as directed that the selection of claimants who availed themselves of the first section of said act by accepting a quantity equal to one league square within their respective grants, which confined the selection to sectional lines, shall not be held to extend to the selection by the claimants of a greater quantity than a section, but the said claimants who have, or may hereafter select, under the provisions of said law, any quantity equal to the amount granted in bodies larger than a section in the form of any Spanish survey, or plat of survey, or where the sections are broken by any river, the said land so selected, or which may be so selected, is hereby confirmed to said claimants; and it shall be the duty of the surveyor-general to make a survey and certificate of all such claims, to return the same to the Commissioner of the General Land Office, and thereupon a patent shall issue to the original grantee, or to his assignee, if the land has been sold or transferred to any other person, or to the legal owner by purchase or descent.

SEC. 8. *And be it further enacted,* That the claimants, who are entitled to the provisions of that act, or who may avail themselves of the foregoing provisions of this act, by taking a quantity equal to a league square in lieu of the whole grant, shall be, and they are hereby, allowed the further time of one year, from the passage of this act, to execute

Time for relinquishment extended.

their relinquishments, and to file their acceptance of the provisions of said law.

Title deeds.

SEC. 9. *And be it further enacted*, That it shall be the duty of the registers and receivers to restore to the claimants the title deeds on which they may have finally rejected the claims. (a)

(a) See Nos. 957, 961, 967, 1268, 1624, 1629, 1630, 1631, 1633, 1634, 1636, 1640, 1641, 1647, 1677, 1699, 1700, 1701, 1704, 1710.

May 29, 1830.
Vol. 6, p. 444.

No. 1644.—AN ACT for the relief of Alexander Love.

Land title confirmed.

Be it enacted, &c., That Alexander Love be, and he is hereby, confirmed in his title to two thousand arpents of land situated on the east side of the river Perdido, in the Territory of Florida, to be located according to a plat and survey made of the same, on the tenth of April, eighteen hundred and twenty-one. And the Commissioner of the General Land Office, upon being presented with a plat and survey of said land, regularly made as aforesaid, shall issue a patent therefor: *Provided*, That this act shall amount only to a relinquishment on the part of the United States, and shall in no manner affect the rights of third persons, or claim derived from the United States by purchase or donation.

Proviso.

March 2, 1831.
Vol. 4, p. 474.

No. 1645.—AN ACT to authorize the Territory of Florida to open a canal through the public lands between Chipola River and Saint Andrew's Bay, in West Florida.

Canal route granted.

Be it enacted, &c., That the Territory of Florida be, and is hereby, authorized to survey and mark, through the public lands of the United States, the route of a canal, by which to connect the navigation of the river Chipola and Saint Andrew's Bay, in West Florida, and to cut the same through the public lands; and ninety feet of land on each side of said canal shall be reserved from sale on the part of the United States, and the use thereof be for ever vested in the Territory, or such company as shall be organized by them, for a canal, and for no other purpose whatever.

Condition.

SEC. 2. *And be it further enacted*, That if the said Territory shall not survey, and direct by law, said canal to be opened, and furnish the Commissioner of the General Land Office a map thereof, within two years from and after the date of this act, or if the said canal be not completed suitably for navigation within five years thereafter, or if said land hereby granted shall ever cease to be used and occupied for the purpose of constructing and keeping in repair a canal suitable for navigation, the reservation and grant aforesaid shall be void and of no effect: *Provided*, That nothing in this act contained, or that shall be done in pursuance thereof, shall be deemed to imply any obligation, on the part of the United States, to appropriate money to defray the expense of surveying or opening said canal: *And provided likewise*, That the said canal when completed by said Territory, or by an incorporated company under the authority of the same, shall be, and for ever remain, a public highway for the use of the Government of the United States, free from any toll or charge whatever, for any property of the United States, or persons in their service on public business passing through the same.

Proviso.

Proviso.

Adjacent lands.

SEC. 3. *And be it further enacted*, That every section of land through which said canal route may pass, shall be, and the same is hereby, reserved from sale under the direction of the Government of the United States, until hereafter specially directed by law; and the said Territory, or company incorporated by them, are hereby authorized, without waste, to use any materials on the public lands adjacent to said canal that may be necessary to its construction.

Other canal route granted.

SEC. 4. *And be it further enacted*, That the said Territory, or any incorporated company under their authority, be, and they are hereby, authorized to open through the public lands of the United States, a canal from Matanzas to Halifax River, in East Florida, upon the same conditions, restrictions and limitations, in every respect, as are prescribed in the foregoing provisions of this act; and the same lands shall be reserved, in like manner, for the objects specified, and for no other.

No. 1646.—AN ACT to ascertain and mark the line between the State of Alabama and the Territory of Florida, * * * and for other purposes.

March 2, 1831.
Vol. 4, p. 479.

[See ALABAMA, No. 1499.]

No. 1647.—AN ACT to direct the manner of issuing patents on confirmed land claims in the Territory of Florida.

Jan. 23, 1832.
Vol. 4, p. 496.

Be it enacted, &c., That all patents that are, or may be, by law, directed to be issued on private land claims confirmed by the commissioners of private land claims, and by the several acts of Congress approving their reports and confirming the titles to lands in the Territory of Florida, shall be, and they are hereby, required to be issued to the confirmees, or to the assignee, or present owner, where the land has been sold or transferred since the confirmation of the title; and it shall be the duty of the Commissioner of the General Land Office, upon the production of satisfactory proof of the death of the confirmee, or upon the production of a regular chain of title from the confirmee, to cause the patent to be issued to the heirs, and legal representatives, or to the assignees of the confirmee, as the case may be. (a)

Patents may be issued to the present owner.

(a) See Nos. 957, 961, 967, 1268, 1624, 1629, 1630, 1631, 1633, 1634, 1636, 1640, 1641, 1643, 1677, 1699, 1700, 1701, 1704, 1710.

No. 1648.—AN ACT making provision for the sale and disposition of the public grounds in the cities of St. Augustine and Pensacola, and to reserve certain lots and buildings for public purposes, and to provide for their repair and preservation.

June 28, 1832.
Vol. 4, p. 550.

Be it enacted, &c., That the President of the United States be, and he is hereby, required to cause to be selected such of the lots and buildings in the city of St. Augustine and of Pensacola, as may, in his opinion, be needed for public purposes; which, when so selected, shall be kept for the use of the United States; and when the selection shall have been made of such lots or buildings, it shall be the duty of the Secretary of the Treasury to cause to be surveyed all the public and private lots and commons in and about the said cities; one copy of which survey shall be lodged in the land offices in which the respective places are situated, and the other copy delivered to the city authorities, to be there kept and preserved as other records pertaining to the corporations of said cities.

Lots and buildings to be selected for the use of the United States.

Public and private lots, &c.

Copies of survey.

SEC. 2. *And be it further enacted,* That the lots, buildings, and commons, not so set apart or needed for public purposes, shall at such time, and in such proportions or sizes as may be deemed most advisable and conducive to the interest of the United States and the said cities, be sold at public auction as other public lands, and the money arising from the sales paid into the Treasury of the United States: *Provided,* That nothing herein shall be so construed as to authorize the sale of any lot or parts of lots, or other grounds which have been by the laws of Spain or the United States vested in the corporations of said towns, or which have been set apart for churches or burying-grounds by the laws aforesaid, or by any ordinance of the corporate authorities of the said cities.

Sale of certain lots, buildings, and commons authorized.

Proviso.

SEC. 3. *And be it further enacted,* That the title to the lot of ground in St. Augustine, known as the Old or Burnt Hospital Lot, with all its appurtenances, be, and the same is hereby, vested in the mayor of St. Augustine, and his successor for ever, in trust, for the purpose of erecting thereon, by the local authorities of St. Augustine, buildings necessary for the education of free white children of both sexes.

Grant of lot whereon to erect buildings for the purposes of education.

SEC. 4. *And be it further enacted,* That the President shall cause the buildings which may be selected for public purposes under this act, to be refitted and repaired fit for use, and the better to preserve them from ruin and dilapidation, for which purpose, the sum of five thousand dollars is hereby appropriated, out of any money in the Treasury not otherwise appropriated.

Buildings selected for public purposes to be repaired, &c.
Appropriation.

* * * * *

No. 1649.—AN ACT to authorize the disposition of the fund arising from the sale of a quarter-section of land, reserved for the use of schools, in Florida.

July 14, 1832.
Vol. 4, p. 601.

Be it enacted, &c., That the commissioners elected by the qualified voters in township five, range eleven, north and west, in the county of Jackson, in the Territory of Florida, in obedience to an act of Congress, entitled "An act to authorize the establishment of a town on land reserved for the use of schools, &c.," approved the second of March, one

Commissioners authorized to vest money arising from sale of certain land in

some productive fund.

Proceeds to be applied to common schools.

Commissioners authorized to sell remainder of lots, &c.

Proviso.

thousand eight hundred and twenty-nine, be, and they are hereby, authorized to vest the money arising from the sale in said act authorized, in some productive fund under the authority of the governor and legislative council of the Territory, the proceeds of which shall for ever be applied to common schools in said township.

SEC. 2. *And be it further enacted,* That the said commissioners be, and they are hereby authorized to make sale of the remainder of said lots to be applied to the objects aforesaid; and all provisions of the act aforesaid, inconsistent with this act, be, and the same are hereby repealed: *Provided,* That the governor and legislative council of said Territory authorize such sale, with the assent of the majority of the inhabitants of said township. (a)

(a) See Nos. 1635, 1642, 1665, 1668, 1774.

July 14, 1832.
Vol. 6, p. 527.

No. 1650.—AN ACT for the relief of Mary Daws, Robert Bond, James Patridge, and John G. Smith.

Certain persons, upon surrender of improvements, to be entitled to pre-emption rights, &c.

Be it enacted, &c., That the said Mary Daws, Robert Bond, James Patridge and John G. Smith, who respectively, did cultivate and inhabit lands within the Territory of Florida, previous to the first day of January, one thousand eight hundred and twenty-five, and would have been entitled to pre-emption rights therefor, under the provisions of an act of Congress of the twenty-second day of April, one thousand eight hundred and twenty-six, entitled "An act giving the right of pre-emption, in the purchase of lands, to certain settlers in the States of Alabama, Mississippi, and Territory of Florida;" had not the lands by them so cultivated and inhabited, in manner aforesaid, fallen within the reservations made by the treaty with the Florida Indians on the eighteenth day of April, one thousand eight hundred and twenty-three, shall be and each of them, upon surrendering their respective improvements, are hereby entitled to a pre-emption right for a quarter-section of land, in the district for the sale of lands, including the improvement, upon paying therefor, at the time of entry, one dollar and twenty-five cents per acre, to the receiver of public moneys at the land office in said district, which pre-emption rights shall be located in the manner pointed out in the above-recited act, and the act therein referred to.

March 2, 1833.
Vol. 4, p. 664.

No. 1651.—AN ACT to establish a town at St. Marks, in Florida.

Lands to be laid off into town lots, &c.

Be it enacted, &c., That the President of the United States be, and he is hereby, authorized to cause so much of the public lands at or near St. Marks, in the Territory of Florida, as he may deem proper, to be laid off into town lots, not to contain more than one-quarter of an acre each, and into streets, avenues, and out-lots, and public squares, for the use of the town; and, whenever the survey of the same shall be completed, it shall be the duty of the surveyor for the Territory of Florida, to cause two plats thereof to be made out, on which the town and out-lots shall respectively be designated by progressive numbers; one of which shall be transmitted, with a copy of the field-notes, to the Commissioner of the General Land Office, and the other to the register of the land office for the proper district: *Provided,* That the President may adopt, if he shall approve such plan as may have been already reported to the General Land Office.

Plan.

Public sale of lots.

SEC. 2. *And be it further enacted,* That the aforesaid town and out-lots at said site, with the exception of such of them as the President may reserve for fortifications, shall be offered for sale to the highest bidder, under the direction of the register and receiver of the proper land office, at such times and places as the President shall, by public proclamation, designate for that purpose; and all lots remaining unsold at the closing of the public sales shall be subject to entry at private sale at the proper land office: *Provided,* That no town lot shall be sold for less than twenty-five dollars, nor any out-lot for less than at the rate of twenty-five dollars per acre; and they shall, in every other respect, be sold on the same terms and conditions as are provided for the disposal of the other public lands of the United States.

Private entry.

Prices limited.

Improvements to be paid for.

SEC. 3. *And be it further enacted,* That previous to offering the aforesaid town and out-lots at public sale, the President of the United States

shall cause the value of any improvements which may have been made thereon to be ascertained in such manner as he may prescribe for that purpose; and the purchaser at public sale of any lot upon which there are such improvements, other than the owner thereof, shall, in addition to the sum to be paid to the United States, be, and hereby is, required to pay to the owner of the improvements, the value of them as thus ascertained; and, if payment therefor shall not be made upon the day on which the same was purchased, the lot shall be again offered at public sale on the next day of sale, and such persons shall not be capable of becoming the purchaser of that or of any other lot offered at that public sale: *Provided*, That, if any lot so offered and bid off on the last day of the public sale shall not be thus paid for, the same may be entered at private sale, upon paying to the United States the sum at which it was bid off, and to the owner of the improvements the previously ascertained value thereof: *And provided further*, That the President be not authorized to offer any part of said town lots for sale, till he shall be satisfied that the site proposed for said town is not included within the limits of any conflicting Spanish title, which may not be released, or decided to be invalid. (a)

Payment on day of sale, &c.

Lots not to be offered for sale, until, &c.

(a) See Nos. 1630, 1635, 1652, 1667, 1670, 1672, 1684, 1691, 1692, 1695, 1713, 1714.

No. 1652.—AN ACT to authorize the sale of lots in the town of St. Mark's, in Florida.

June 30, 1834.
Vol. 4, p. 727.

Be it enacted, &c., That the President of the United States be, and he is hereby, authorized to direct the register and receiver of the Tallahassee land district to make sale, at public auction, of one-fourth of the lots in the town of St. Mark's, in the Territory of Florida, according to the plan of the surveyor-general of said Territory, as soon as practicable after the passage of this act, upon giving two months' public notice of the said sale. (a)

Register and receiver to sell.

(a) See Nos. 1630, 1635, 1651, 1667, 1670, 1672, 1684, 1691, 1692, 1695, 1713, 1714.

No. 1653.—AN ACT for the benefit of the heirs at law of the representatives of William G. Christopher, deceased.

June 30, 1834.
Vol. 6, p. 586.

Be it enacted, &c., That the heirs at law of William G. Christopher, deceased, be confirmed in their title and claim to six hundred and forty acres of land at Point Hazard, on Bell's River, on the coast of East Florida; to be so located as to include the improvements occupied by their ancestor, the said William G. Christopher: *Provided, however*, That this act shall be construed to extend only to a relinquishment of the title of the United States to the said land, and shall not operate to the prejudice of the claims of any other person or persons.

Land claim confirmed.

Proviso.

No. 1654.—AN ACT to authorize the construction of a railroad upon the public lands, from Tallahassee to St. Marks, in Florida.

March 3, 1835.
Vol. 4, p. 778.

Be it enacted, &c., That the president, directors, and stockholders organized in virtue of an act of incorporation from the governor and legislative council of the Territory of Florida, be, and they are hereby, authorized to construct said road upon the public lands of the United States, so far as the line of said road has been or shall be made to pass through the same.

Authority to construct road.

SEC. 2. *And be it further enacted*, That there be granted to the said railroad company, the land over which the said road shall pass, and thirty feet on each side of the same; and the said company shall have the privilege of using the timber on the public lands, for one hundred yards on each side of said railroad, in the construction and repair of said road.

Land and timber granted to the company.

SEC. 3. *And be it further enacted*, That there shall be, and is hereby, granted to the said railroad company, ten acres of land, at the junction of the St. Marks and Waculla rivers, (the point where the road terminates,) exclusive of such portions as shall be actually improved by individuals, and now in their occupancy, and also exclusive of such portions as, in the opinion of the President, it may be expedient to preserve for

Ten acres of land granted, at terminus of the road.

Proviso.

the national defence, or other public use: *Provided, nevertheless,* That the several grants contained in this act, shall revert to the Government of the United States, unless the said railroad be begun in five years from the passage of this act, and completed within ten years thereafter.

Provisions to extend to two companies authorized by acts of Alabama and Florida.

SEC. 4. *And be it further enacted,* That the foregoing provisions shall extend to two companies organized under the authority of acts of the legislature of Alabama, and of the governor and legislative council of the Territory of Florida, for a railroad from Pensacola to the Chatahoochee River near Columbus in Georgia, and to such other point designated in the act of the legislature of Alabama, in said State:

Provisions extended to railroad authorized by acts of Georgia and Florida.

And also, another railroad authorized by acts of the legislature of the State of Georgia, and the Territory of Florida, from the Saint John's River in East Florida, to the Suwanee River in said Territory, or to Vacasom Bay, at the mouth of said river.

And all the rights, privileges and authority conferred in the first and second sections of this act shall extend to the said companies mentioned in this section; and subject to the proviso of the third section, as to the time within which the railroads shall be commenced and completed. (a)

(a) See Nos. 1621, 1658, 1659, 1682, 1690, 1691, 1703, 1706, 1707, 1709, 1712.

July 1, 1836.
Vol. 5, p. 63.

No. 1655.—AN ACT to authorize the governor and legislative council of the Territory of Florida, to sell the lands heretofore reserved for the benefit of a general seminary of learning in said Territory.

Lands heretofore reserved may be sold.

Be it enacted, &c., That the governor and legislative council of the Territory of Florida shall be, and they are hereby, authorized to sell and convey, in fee-simple, for the benefit of the University of Florida, of which, Joseph M. White, R. K. Call, Thomas Randall, John G. Gamble, Thomas Eston Randolph, Louis M. Goldsborough, Ben. Chaires, Turbutt R. Betton, F. Eppes, E. Loockerman, Fitch W. Taylor, J. Loring Woart, Ashbeel Steel, and J. Edwin Stewart are trustees, any part not exceeding one-half of the two townships of land heretofore reserved and appropriated by Congress for the establishment and support of a seminary of learning in the Territory of Florida, and to appropriate so much of the money arising from the sale thereof, as may be deemed expedient for the erection of commodious and durable buildings for said university; for the purchase of apparatus, and whatever else may be suitable for such university; and to invest the remainder in some productive funds, the proceeds of which shall be devoted for ever to the benefit of said University of Florida. (a)

(a) See Nos. 1630, 1639, 1674.

July 2, 1836.
Vol. 6, p. 673.

No. 1656.—AN ACT to confirm the title of the heirs of M. de la Carera to a tract of land.

Grant of land confirmed.

Be it enacted, &c., That a gratuitous grant of seven hundred and ninety-eight arpens of land, situated on the Escambia River, in West Florida, made by the Intendant, General Morales, on the fifth of May, one thousand eight hundred and nine, to Milan de la Carera, be, and the same is hereby, confirmed to the heirs or legal representatives of said Carera: *Provided,* That this confirmation shall only operate as a relinquishment of the title of the United States.

Proviso.

July 2, 1836.
Vol. 6, p. 676.

No. 1657.—AN ACT for the relief of Duncan L. Clinch.

Authorized to enter a tract of land.

Be it enacted, &c., That Duncan L. Clinch and John H. McIntosh, assignees of George J. F. Clarke, be authorized to enter, at the minimum price for which the public lands are sold, a tract of land in East Florida, containing three thousand acres, in Cones' or Moody hammock, south of Mizzell's lagoon, west of the river St. John, upon which they have made their settlements under a grant from Don Jose Coppinger, governor of that province, dated sixth of April, eighteen hundred and sixteen; and a survey made by Don Andres Burgevin, bearing date the twelfth day of March, eighteen hundred and nineteen, in lieu of the same quantity of land confirmed to them in another place by the decree

of the Supreme Court, at January term, eighteen hundred and thirty-four, in the case of George J. F. Clarke against the United States, upon their filing in the office of the register of public lands for the district of East Florida, a relinquishment of all their right, title, claim, and demand, in and to the land last mentioned.

No. 1658.—AN ACT to authorize certain railroad companies to construct railroads through the public lands in the Territory of Florida.

Jan. 31, 1837.
Vol. 5, p. 144.

Be it enacted, &c., That the East Florida Railroad Company, a corporation established by an act of the governor and legislative council of the Territory of Florida, approved the fourteenth of February, anno Domini eighteen hundred and thirty-five, be, and they hereby are, authorized to locate and construct a railroad on the following route, to wit: commencing on the St. John's River and thence in the most convenient and suitable direction to Tallahassee or the waters of St. Mark's River or Bay, on the Gulf of Mexico, or to any other point east of or between the St. Mark's and Appalachicola rivers, which may be selected by said company.

East Florida Railroad Company authorized to locate and construct a railroad, commencing on the St. John's River, &c.

SEC. 2. *And be it further enacted*, That the said company is further authorized, wherever said route shall pass over the public lands of the United States, to locate the same thereon, eighty feet wide; which said location, if made according to the true intent and meaning of this act, shall be enjoyed by said company so long as they maintain the said road for the public accommodation.

May pass over the public lands.

SEC. 3. *And be it further enacted*, That the said company shall have the right to take from the said public lands, timber, stone, and earth, whenever it may be convenient for the construction of any part of said way running through the same; also to deposite and leave such materials upon such lands, whenever it may be necessary; also, to cut drains, where necessary, through the same; and during the period of the construction of said way, to occupy said lands along said route, doing as little injury thereto as may be.

Timber, &c., may be used.

SEC. 4. *And be it further enacted*, That to entitle the said company to the enjoyment of the privileges herein provided for, they shall comply with the following conditions, to wit:

Conditions to be complied with by said company.

First, They shall cause the said route, whenever it passes over the public lands, to be surveyed, and the location of the way to be accurately delineated in their proper connexion, and a map thereof, and a copy of the locations, to be returned and deposited in the General Land Office, within six months from the date of the final location of the said road.

Second, They shall cause permanent monuments to be erected along said route, conforming to such locations and maps, defining the limits of the way.

Third, Wherever the said railway shall intersect a highway or travelled way on the public lands, that way or ways shall be left unobstructed.

Fourth, Wherever it shall cross a stream or low grounds, such provision shall be made for draining off the water as to leave the said public lands uninjured by said railway.

Fifth, They shall complete the said way within the time provided for in the act of incorporation.

Sixth, Said location of said way shall be considered and treated as open way, and be kept up as such, and the lands abutting thereon shall be considered as abutting upon a public way.

SEC. 5. *And be it further enacted*, That the sections and quarter-sections of public lands over which the said road may pass, shall be reserved by the United States for two years after the final location of the said way; and to this end the said company shall, as soon as they have resolved to survey or examine any route, give notice to the register of the land district in which the lands may be over which they intend to pass; and when the final location is made, a further notice of that fact shall be given, in like manner, of the lands over which it actually passes, which said last-mentioned lands shall be reserved as aforesaid from sale: *Provided*, That neither the said company nor any other person shall be authorized to settle on the said reserved sections or quarter-sections; and no person so settling shall acquire thereby a pre-

Public lands to be reserved by the United States, &c.

Notice to be given by the company of routes to be surveyed, &c.

Proviso.

Time for making surveys, &c., extended.

Governor, &c., may provide by law for the construction of railroads to cross or intersect, &c.

East Florida R. R. Co. may cross proposed railroad at, &c.
Florida may take stock.

Acts repealed.

Pensacola and Perdido Railroad Company may make railroad from, &c.

Brunswick and Florida Railroad Company may extend their railroad from, &c.

Lake Winnico and St. Joseph's Canal and Railroad Company may construct railroad from St. Joseph to Tallahassee.

emptive right or claim to the said reserved lands, or to any part thereof; and if said company shall fail to give prompt and seasonable notice in both the above cases, they shall forfeit their privileges under this act.

SEC. 6. *And be it further enacted*, That the time for making the surveys and commencing the work, as prescribed in the said act of incorporation, be, and the same is hereby, extended for one year after the passage of this act.

SEC. 7. *And be it further enacted*, That it shall be lawful for the governor and legislative council of the said Territory, or for the legislature of the State of Florida hereafter, to provide by law for the construction of railroads from the Appalachicola River, or from any other point, to cross or intersect the above-mentioned railroad, from the Georgia State line to the Gulf of Mexico.

SEC. 8. *And be it further enacted*, That the said East Florida Railroad Company be, and they are hereby authorized to cross the railroad proposed to be made at any point between Tallahassee and St. Mark's.

SEC. 9. *And be it further enacted*, That the Territory or State of Florida shall, at the end of twenty years, have the privilege of taking one-fourth of the stock at par, by paying to the company the interest on the investment.

SEC. 10. *And be it further enacted*, That all acts or parts of acts of the legislative council of the Territory of Florida, inconsistent with the foregoing provisions, be, and the same are hereby annulled.

SEC. 11. *And be it further enacted*, That the Pensacola and Perdido Railroad Company, organized under acts of the governor and legislative council of the Territory of Florida, and of the State of Alabama, be, and they are hereby, authorized to make a railroad from Pensacola to the waters of Mobile Bay or River; and also, that the Brunswick and Florida Railroad Company, incorporated by an act of the legislature of Georgia, be, and they are hereby, authorized to extend their railroad from the Georgia line to the city of Tallahassee, and thence to the river Appalachicola, or St. George's Sound, upon the same conditions and limitations contained in the foregoing provisions of this act.

SEC. 12. *And be it further enacted*, That the Lake Winnico and St. Joseph's Canal and Railroad Company, organized under acts of the governor and legislative council of the Territory of Florida, be, and they are hereby authorized to locate and construct a railroad from the city of St. Joseph to the city of Tallahassee, in said Territory, upon the same conditions and limitations contained in the foregoing provisions of this act; and in the construction of said road, may cross, or intersect, and form a junction with, any other railroad which may be made west of the city of Tallahassee. (a)

(a) See Nos. 1621, 1654, 1659, 1682, 1690, 1691, 1703, 1706, 1707, 1709, 1712.

June 28, 1838.
Vol. 5, p. 253.

Act of the legislature of Florida, incorporating, &c., confirmed.

Proviso.

Right of way through the public lands granted.

Proviso.

Right to take from the public lands earth, stone, or wood.

No. 1659.—AN ACT to confirm the act of the legislative council of Florida, incorporating the "Florida Peninsula Railroad and Steamboat Company," and granting the right of way to said company through the public lands, and for other purposes.

Be it enacted, &c., That the act passed by the legislative council of Florida, entitled "An act to incorporate the Florida Peninsula Railroad and Steamboat Company," approved eighth January, eighteen hundred and thirty-eight, be, and the same is hereby, ratified and confirmed: *Provided, however*, That the said company shall not be deemed to have, nor shall they exercise, banking privileges; nor shall the said act be so construed as to give or grant banking privileges to said company; and in case the said company shall exercise banking privileges, of any description, in any way or manner, then this confirmation or ratification of said act of incorporation shall be void and of no effect.

SEC. 2. *And be it further enacted*, That the right of way shall be, and is hereby, granted to said company over and through any of the public lands of the United States over which the said road may pass: *Provided*, That the said land to be used and occupied by said company for the line or route of such road shall not exceed eighty feet in width.

SEC. 3. *And be it further enacted*, That the said company shall have the right to take from the public lands in the vicinity of said road and within twenty rods of the centre thereof, on each side, all such materials of earth, stone, or wood as may be necessary or convenient for the actual construction of said road or any part thereof; and, during the construction of said road, to occupy said lands to the width aforesaid,

so far as may be necessary to the convenient performance of said work: *Provided, however,* That the rights and privileges granted by this section shall be so exercised as to cause as little damage as possible to the public lands adjacent to said road; and proper drains or sluices shall be constructed by the said company so as to prevent the obstruction of any streams or water-courses which may be crossed by said road.

Proviso.

SEC. 4. *And be it further enacted,* That there shall be, and are hereby, granted to the said company all necessary sites for watering-places, depots, and workshops, along the line of road: *Provided,* That no one depot or watering-place shall contain over four square acres, to be laid off in a square form; and not more than one of said squares shall be granted to or taken by said company for each ten miles of said road.

Sites granted for watering-places, &c.
Proviso.

SEC. 5. *And be it further enacted,* That the said company shall, with as little delay as may be convenient, and at all events within one year from the passage of this act, and at their own expense, cause the route of said road and the sites which they may select for depots, watering-places, or workshops, to be surveyed and designated through said public lands by plain marks and monuments; and copies of the field-notes of the survey, with a map or plat of the said route and of said sites and of the connection of said route with the previous official surveys of the adjacent lands, shall be returned to the office of the surveyor-general of that land district and to the General Land Office at Washington.

Route to be surveyed, &c.

SEC. 6. *And be it further enacted,* That if the said road shall be abandoned or discontinued, or if the route shall cease to be used by said company for the purposes of a railroad, then and in that case this act and the privileges hereby granted shall cease and be void, and the land occupied by said road shall revert to the United States.

If the road shall be abandoned, this act to be void.

SEC. 7. *And be it further enacted,* That Congress may at any time, until said Territory shall be admitted as a State, prescribe and regulate the tolls to be received by said company, and after said Territory shall be admitted as a State, the legislature thereof shall possess the like power, and said act of incorporation is hereby approved, subject to the modifications and conditions aforesaid. (a)

Tolls.

(a) See Nos. 1621, 1654, 1658, 1682, 1690, 1691, 1703, 1706, 1707, 1709, 1712.

No. 1660.—AN ACT to encourage the introduction and promote the cultivation of tropical plants in the United States.

July 7, 1838.
Vol. 5, p. 302.

Whereas in obedience to the Treasury circular of the sixth of September, eighteen hundred and twenty-seven, Doctor Henry Perrine, late American consul at Campeachy, has distinguished himself by his persevering exertions to introduce tropical plants into the United States: and whereas he has demonstrated the existence of a tropical climate in southern Florida, and has shown the consequent certainty of the immediate domestication of tropical plants in tropical Florida, and the great probability of their gradual acclimation throughout all our southern and southwestern States, especially of such profitable plants as propagate themselves on the poorest soils; and whereas, if the enterprise should be successful, it will render valuable our hitherto worthless soils, by covering them with a dense population of small cultivators and family manufacturers, and will thus promote the peace, prosperity, and permanency of the Union: Therefore,

Preamble.

Be it enacted, &c., That a township of land is hereby granted to Doctor Henry Perrine and his associates, in the southern extremity of the peninsula of East Florida, to be located in one body of six miles square, upon any portion of the public lands below twenty-six degrees north latitude.

Grant of land to H. Perrine.

SEC. 2. *And be it further enacted,* That the said tract of land shall be located within two years from this date, by said Henry Perrine, and shall be surveyed under his direction, by the surveyor of Florida, *Provided,* That it shall not embrace any land having sufficient quantities of naval timber to be reserved to the United States, nor any sites for maritime ports or cities.

When to be located, &c.

Proviso.

SEC. 3. *And be it further enacted,* That whenever any section of land in said tract, shall be really occupied by a bona-fide settler, actually engaged in the propagation or cultivation of valuable tropical plants, and upon proof thereof being made to the Commissioner of the General Land Office, a patent shall issue to the said Henry Perrine and his associates.

When a patent shall issue.

How and when
it shall be for-
feited to the
United States.

SEC. 4. *And be it further enacted*, That every section of land in the tract aforesaid, which shall not be occupied by an actual settler, positively engaged in the propagation or cultivation of useful tropical plants within eight years from the location of said tract, or when the adjacent territory shall be surveyed and offered for sale, shall be forfeited to the United States. (a)

(a) See No. 1664.

March 3, 1839.
Vol. 6, p. 763.

No. 1661.—AN ACT for the relief of Farish Carter, and the heirs of Charles Williamson, deceased.

F. Carter em-
powered to enter
land.

Be it enacted, &c., That Farish Carter be, and he is hereby, authorized and empowered to enter six quarter-sections of land on any unreserved and unappropriated land in Florida, in lieu of so many quarter-sections for which he had paid the United States, and held certificates from the receiver; and that Seaton Grantland, administrator of Charles Williamson, be, and he is hereby, authorized and empowered to enter one half quarter-section of land in the name and for the use of the heirs of the said Charles Williamson, on any unreserved and unappropriated land in Florida, and one other half quarter section on any land of the United States which has been offered for sale, in lieu of that much land for which the said Williamson had paid the United States, and held certificates from the receiver; and that patents do issue free of purchase to the said Farish Carter and the heirs of the said Williamson, respectively, for the land so entered.

S. Grantland
empowered to en-
ter land.

March 3, 1839.
Vol. 6, p. 785.

No. 1662.—AN ACT for the relief of the heirs and assignees of Peter Alba, deceased.

Land title con-
firmed.

Be it enacted, &c., That the title of the heirs of Peter Alba, late of Pensacola, in the Territory of Florida, deceased, or of such person or persons as by assignment from said Peter Alba may have claims thereto, to fifteen lots of land in the suburbs of the town of Pensacola, in the Territory of Florida, designated as follows, viz: numbers thirty, eighty-seven, three hundred and five, three hundred and twenty-one, three hundred and forty-two, three hundred and forty-three, three hundred and forty-four, three hundred and forty-five, three hundred and forty-six, three hundred and forty-seven, three hundred and twenty-seven, three hundred and thirty-five, three hundred and thirty-six, three hundred and thirty-seven, and three hundred and twenty-eight; all which were purchased by the said Peter Alba of the Spanish Government, in the year eighteen hundred and seventeen, be, and the same are hereby, confirmed, respectively, to the heirs of the said Peter Alba, or to his assignee or assignees, to whom he may have conveyed the same, or any part of said lots, in his lifetime, according to the right which the said heirs, or assignee or assignees, may have thereto under the said Peter Alba: *Provided*, That this confirmation shall only extend to the relinquishment of any title which the United States may have to said lots.

Proviso.

March 3, 1839.
Vol. 6, p. 786.

No. 1663.—AN ACT for the relief of Henry L. Reviere.

Authorized to
enter certain
land.

Be it enacted, &c., That Henry L. Reviere, of West Florida, be, and he is hereby authorized to enter, at a minimum price, one quarter-section of land, or a fraction equal to one quarter, as near as may be, in fractional section twenty-three, in township four, range fourteen, south and west, and lot number five, in section number fourteen in same township, including the settlement of the said Reviere; to be bounded by sectional and fractional lines, according to Government surveys; to which pre-emption the said Henry L. Reviere was entitled by inhabitation and cultivation, under the act passed June twenty-nine, [nineteen,] eighteen hundred and thirty-four; which was reserved erroneously from entry at the time, and before the expiration of the act.

Feb. 18, 1841.
Vol. 6, p. 819.

No. 1664.—AN ACT supplementary to an act entitled "An act to encourage the introduction, and promote the cultivation of tropical plants," approved seventh July, eighteen hundred and thirty-eight.

Preamble.

Whereas, under the provisions of the act, to which this is a supplement, Doctor Henry Perrine made, in the manner thereby required, the location therein authorized; and while engaged in the necessary measures to carry into effect the objects contemplated by the said act, was murdered by the Seminole Indians: and whereas Mrs. Ann F. Perrine,

the widow of the said Doctor Perrine, is anxious to continue the undertaking thus commenced by her late husband, but is prevented from so doing by the continuance of the Indian war in Florida; therefore,

Be it enacted, &c., That Mrs. Ann F. Perrine, the widow of the said Henry Perrine, and Sarah Ann Perrine, Hester M. S. Perrine, and Henry E. Perrine, his surviving children, are hereby declared to be entitled to all the rights and privileges vested in and granted to the said Doctor Henry Perrine, by the act to which this is a supplement, and that the time limited by the said act in which every section of said grant should be occupied to prevent the forfeiture of the same to the United States, be, and the same is hereby, extended to eight years from and after the time when the present Indian war in Florida shall cease and determine. (a)

(a) See No. 1660.

No. 1665.—AN ACT to provide for the armed occupation and settlement of the unsettled part of the peninsula of East Florida.

Aug. 4, 1842.
Vol. 5, p. 502.

Be it enacted, &c., That any person, being the head of a family, or single man over eighteen years of age, able to bear arms, who has made, or shall, within one year from and after the passage of this act, make an actual settlement within that part of Florida situated and being south of the line dividing townships numbers nine and ten south, and east of the base line, shall be entitled to one quarter-section of said land, on the following conditions and stipulations:

First. That said settler shall obtain from the register of the land office, in the district in which he proposes to settle, a permit describing as particularly as may be practicable, the place where his or her settlement is intended to be made: *Provided*, That no person who shall be a resident of Florida at the time of the passage of this act, who shall be the owner of one hundred and sixty acres of land, at the time he proposes to settle, shall be entitled to a permit from the register.

Certain persons settling in Florida entitled to a quarter-section of land, on the following conditions.

To obtain a permit describing the land.
Proviso.

Second. That said settler shall reside in the Territory of Florida, south of said township line, for five consecutive years, and to take his grant on any public land south of that township.

Five years' residence.

Third. That said settler shall erect thereon a house fit for the habitation of man, and shall clear, enclose, and cultivate at least five acres of said land, and reside thereon for the space of four years next following the first year after the date of his permit, if he or she shall so long live.

Erection of a house, &c.

Fourth. That such settler shall, within one year after the survey of said lands, and the opening of the proper office for the entry and sale of the same by the United States, prove, before such tribunal and in such manner and form as shall be prescribed by the Commissioner of the General Land Office, with the approval of the President, the fact that the settlement has been commenced, and the particular quarter-section upon which it is located; and, also, that such settler shall, within six months after the expiration of five years from the date of his permit, prove, in like manner, the fact of continued residence and cultivation, as required in the second and third conditions herein above prescribed; whereupon, and not until then, a patent shall issue to said settler, for such quarter-section.

Settlements, &c., how to be proved.

SEC. 2. *And be it further enacted*, That in the case of the settlement of the same quarter-section by two or more settlers, the right to the location shall be determined by priority of settlement, to be ascertained under such rules as the Commissioner of the General Land Office, with the approval of the President, may prescribe; and the subsequent settler or settlers shall be permitted to locate the quantity he, she, or they may be entitled to elsewhere within the same township, upon vacant public lands.

In case of settlement by two or more, the right to be determined by priority.

SEC. 3. *And be it further enacted*, That no right or donation shall be acquired under this act within two miles of any permanent military post of the United States, established and garrisoned at the time such settlement and residence was commenced.

Settlements not to be made within two miles of a permanent military post.

SEC. 4. *And be it further enacted*, That all sales, gifts, devises, agreements, bonds, or powers to sell, transfers, or liens, whatsoever, private or judicial, of the lands, or any portion thereof, acquired by this act, made at any time before patents shall have issued for the same, shall be utterly void and without effect, to every intent and purpose, whether

Sales, &c., of land acquired by this act, before the patents have issued, void.

in law or equity; and the purchaser or obligee, under any such sale, agreement, bond, or power to sell, transfer, or lien, shall not be entitled to recover back the price or consideration paid therefor, but shall forfeit the same absolutely to such settler or his heirs.

On the death of a settler, his rights descend to his widow, &c.

SEC. 5. *And be it further enacted*, That upon the death of any settler before the end of the five years, or before the issuing of the patent, all his rights under this act shall descend to his widow and heirs at law, if he leaves a widow, and to his heirs at law, if he leaves none, to be held and divided by them according to the laws of Florida, any previous sale or transfer of the same or of any interest, legal or equitable, in the same, to the contrary notwithstanding. And proof of his compliance with the conditions of this act, up to the time of his death, shall be sufficient to entitle them to the patent. (a)

In case of settlement before survey on a 16th section, other school lands to be selected.

SEC. 6. *And be it further enacted*, That where any settlement, by the erection of a dwelling, or the cultivation of any portion thereof, shall be made upon the sixteenth section, before the same shall be surveyed, then and in that case other lands shall be selected by the school commissioners of the township, in lieu of said section sixteen, or such part thereof as may be claimed under this act. (b)

Land for settlement limited.

SEC. 7. *And be it further enacted*, That not exceeding two hundred thousand acres of land shall be taken for settlement under this act.

President may suspend the settlement.

SEC. 8. *And be it further enacted*, That the President of the United States may, at any time, by proclamation, suspend all further permits and settlements under this act, by giving three months' notice thereof.

Names of settlers, &c., to be reported to Congress.

SEC. 9. *And be it further enacted*, That the Commissioner of the General Land Office shall, on or before the first day of February, eighteen hundred and forty-four, report to Congress the names of every individual who shall have made the actual settlement required by the first section of this act, specifying the heads of families, and the single men, and the location of each quarter-section occupied by each of said settlers. (a)

(a) See Nos. 1671, 1679.

(b) See Nos. 1635, 1642, 1649, 1668, 1674.

Aug. 11, 1842.
Vol. 6, p. 857.

No. 1666.—AN ACT for the relief of Henry Gee.

Authorized to enter land in lieu of that of which he was deprived.

Be it enacted, &c., That Henry Gee, of Florida, be, and he is hereby, authorized to locate, on any of the unappropriated public lands within the Territory of Florida, the same number of acres of land which was contained in the northeast quarter of fractional section twenty-three, in township one, of range eight, north and west, of which he was deprived by the entry of Michael Lott, made at the land office at Tallahassee, on the twentieth August, eighteen hundred and forty, and the certificate of which is numbered eight thousand three hundred and ninety-eight.

Aug. 30, 1842.
Vol. 5, p. 567.

No. 1667.—AN ACT to establish an additional land office in Florida.

Alachua land district established.

Be it enacted, &c., That so much of the public lands of the United States in the Territory of Florida, as lies east of the Suwannee River, and west of the line dividing ranges twenty-four and twenty-five, except that lying east of St. Mary's River, north of the basis parallel, shall form a new land district, to be called the Alachua land district; and, for the sale of the public lands within the district aforesaid there shall be a land office established in the town of Newnansville, in the county of Alachua, in the Territory aforesaid.

Land office at Newnansville.

Register and receiver to be appointed.

SEC. 2. *And be it further enacted*, That there shall be a register and receiver appointed to said office, to superintend the sale of the public land in said district, who shall reside at the town of Newnansville aforesaid, give security in the same manner and sums, and whose compensation, emoluments, duties, and authorities, shall, in every respect, be the same, in relation to lands to be disposed of at said office, as are or may be by law provided in relation to the registers and receivers of public money in the several offices established for the sale of the public lands. (a)

The lands subject to sale.

SEC. 3. *And be it further enacted*, That all such public lands, embraced within the district created by this act, which shall have been offered for sale to the highest bidder at any land office in said Territory, pursuant to any proclamation of the President of the United States, and which lands remain unsold at the taking effect of this act, shall be sub-

ject to be entered and sold at private sale by the proper officers of the office hereby created, in the same manner, and subject to the same terms, and upon like conditions, as the sale of said land would have been subject to in the said several land offices hereinbefore mentioned, had they remained attached to the same. (b)

(a) See Nos. 1630, 1632, 1688, 1689, 1708.

(b) See Nos. 1630, 1635, 1651, 1652, 1670, 1672, 1684, 1691, 1692, 1695, 1713, 1714.

No. 1668.—AN ACT to authorize the selection of certain school lands in the Territories of Florida, Iowa, and Wisconsin.

June 15, 1844.
Vol. 5, p. 666.

Be it enacted, &c., That wherever the sixteenth sections in said Territories, either in whole or in part, are now, or may hereafter be, included in private claims held by titles confirmed or legally decided to be valid and sufficient, other lands equivalent thereto, within any land district in said Territories most adjacent to said lands so taken up by private claims, "which have been offered at public sale, and remain unsold," may be selected in lieu thereof, under the direction of the Secretary of the Treasury: and the lands so selected shall be entered in the office of the register of the land district in which they may lie, and be by such register reported to the Commissioner of the General Land Office as school lands selected under this act: *Provided*—That, before making any entry of such other lands, the case shall be made out to the satisfaction of the register and receiver of said district, agreeably to rules to be prescribed by the Commissioner of the General Land Office, for the purpose of showing that the sixteenth section, or part thereof, has been included in the manner above mentioned. (a)

When a 16th section is included in a private claim, lands adjacent may be selected in lieu.

Proviso.

(a) See Nos. 1635, 1642, 1649, 1665, 1674.

No. 1669.—AN ACT to confirm to the city of Fernandina in Florida, certain lots reserved for public use by the Spanish Government.

June 15, 1844.
Vol. 5, p. 667.

Be it enacted, &c., That lots, numbers five and seven of block number two, in the plan of the city of Fernandina, be and are hereby confirmed and relinquished to the corporate authorities of the said city for such uses as were designed by the Spanish Government in the original plan of the said city: *Provided*, That before the issue of patents for the same, it shall be shown to the satisfaction of the President of the United States, that the said lots were intended to be reserved in the plan of said city, for a public use.

Two lots granted for purposes designed by Spanish Government.
Proviso.

No. 1670.—AN ACT to authorize the issuing of patents for certain lands in the St. Augustine land district in Florida, the sales of which were not regularly reported.

June 15, 1844.
Vol. 5, p. 671.

Be it enacted, &c., That in all cases where it shall appear, to the satisfaction of the Commissioner of the General Land Office, that individuals had applied to John C. Cleland, late receiver at St. Augustine, in Florida, while acting as receiver, for the entry of any of the lands in that district, and had made payment to him therefor, as required by law, and where said Cleland failed to furnish the usual evidence of such payments to the register of the land office aforesaid, and to make the usual returns thereof to the General Land Office, such individuals shall be entitled to receive patents for such entries, where the lands applied for by them have not since been sold: but if sold, the money paid by them may be applied to the purchase of any other land in that district subject to entry at private sale: *Provided*, That this act shall only apply to those cases where evidence that such application was made, is now in the General Land Office. (a)

Where application and payment were made to J. C. Cleland, but he did not make the returns, patents to issue.

Proviso.

(a) See Nos. 1630, 1635, 1651, 1652, 1667, 1672, 1684, 1691, 1692, 1695, 1713, 1714.

No. 1671.—AN ACT to amend an act entitled "An act to provide for the armed occupation and settlement of the unsettled part of the peninsula of Florida."

June 15, 1844.
Vol. 5, p. 671.

Be it enacted, &c., That in any case in which it shall appear to the Commissioner of the General Land Office that the location made by a settler under the act approved August fourth, eighteen hundred and forty-two, entitled, "An act to provide for the armed occupation and settlement of the unsettled part of the peninsula of Florida," was located upon lands which were discovered after the issue of the permit to be liable to overflow, it shall be lawful for the said Commissioner to

Where location under act of Aug. 4, 1842, was made upon land liable to overflow, it may be changed.

Proviso.

authorize the change of the location to any other vacant quarter-section within the same land district: *Provided* Application for permission to change the location shall have been made at the proper land office before the fourth day of August, eighteen hundred and forty-three.

When settlement was made before survey, settler may locate upon legal subdivisions, so as to include his improvement.

SEC. 2. *And be it further enacted*, That in all cases in which settlements have been made under the provisions of said act, upon lands not surveyed before the issue of permit, the settler may, after survey, locate his quarter-section in any legal subdivisions of continuous or contiguous sections, or fractional sections, so as to make up the quantity of one hundred and sixty acres, as may be, and to include his improvements, and as much of the lands described in his permit as is consistent with the system of the public surveys.

Settler may reside on land not in permit.
Proviso.

SEC. 3. *And be it further enacted*, That the settlers under said act may erect their dwellings, and reside upon other than the quarter-section described in their permit, *Provided*, The land upon which they so erect their habitation shall be entered and paid for by them, if in market, or if not in market, shall be so entered within three months after it shall have been offered at public sale. *And provided, also*, That the condition of cultivation on the land described in the permit shall be faithfully complied with according to the terms of the act to which this is an amendment.

Proviso.

When title of United States is defective, settler may locate elsewhere.

SEC. 4. *And be it further enacted*, That in any case in which the title of the United States to the land or any part of it, not less than forty acres, described in the permit issued by the land office to any settler, or contained in the quarter-section upon which he shall have been located, shall prove to be defective, a tract of land equal in quantity to that of which the title shall have proved defective as aforesaid, may be located elsewhere upon vacant surveyed lands within the same township, or within the nearest township in which there shall be sufficient quantity of vacant arable land.

Settler may perfect his title, how.

SEC. 5. *And be it further enacted*, That it shall be competent for any settler under the said act to perfect his title to the quarter-section located and described in the permit, by paying to the receiver of the land office in the appropriate district the sum of one dollar and twenty-five cents per acre for the said quarter-section: *Provided*, That such settler shall prove to the satisfaction of the register and receiver for the proper land district, that up to the date of his application to make payment, he has fully complied with the requirements of the act to which this is an amendment. (a)

Proviso.

(a) See Nos. 1665, 1679.

June 15, 1844.
Vol. 5, p. 673.

No. 1672.—AN ACT to confirm certain entries of land in the St. Augustine land district, in the Territory of Florida, made under the pre-emption law of 29d June, 1838.

Patents to issue on all entries made at Saint Augustine under act of June 22, 1838, notwithstanding defect in proof.

Be it enacted, &c., That the President of the United States be, and he is hereby, authorized to issue patents on all entries made in the St. Augustine land office in the Territory of Florida, under the act entitled "An act to grant pre-emption rights to settlers on the public lands," approved twenty-second June, eighteen hundred and thirty-eight, where the land so entered was public land and liable to the operations of said act, any informality in the proof, or other existing defect therein, or in the mode of entry, to the contrary notwithstanding: *Provided*, That this act shall apply only to the cases where the settlers were forced from their homes by reason of Indian hostilities, and consequently were unable to make out the continuous residence required by the law. (a)

Proviso.

(a) See Nos. 1630, 1635, 1651, 1652, 1667, 1670, 1684, 1691, 1692, 1695, 1713, 1714.

March 3, 1845.
Vol. 5, p. 742.

No. 1673.—AN ACT for the admission of the States of Iowa and Florida into the Union.

[See IOWA, No. 1776.]

March 3, 1845.
Vol. 5, p. 788.

No. 1674.—AN ACT supplemental to the act for the admission of Florida and Iowa into the Union, and for other purposes.

Grant of lands for seat of government, public schools, &c.

Be it enacted, &c., That in consideration of the concessions made by the State of Florida in respect to the public lands, there be granted to the said State eight entire sections of land for the purpose of fixing their seat of Government; (a) also, section number sixteen in every township, or other lands equivalent thereto, for the use of the inhab-

itants of such township, for the support of public schools; (b) also, two entire townships of land, in addition to the two townships already reserved, for the use of two seminaries of learning—one to be located east, and the other west of the Suwannee River; (c) also, five per centum of the net proceeds of the sale of lands within said State, which shall be hereafter sold by Congress, after deducting all expenses incident to the same; and which said net proceeds shall be applied by said State for the purposes of education.

SEC. 2. *And be it further enacted*, That all the laws of the United States which are not locally inapplicable, shall have the same force and effect within the said State of Florida, as elsewhere within the United States. (d)

(a) See Nos. 1632, 1640, 1642.

(b) See Nos. 1635, 1642, 1649, 1665, 1668.

(c) See Nos. 1630, 1639, 1655.

(d) See Nos. 1499, 1625, 1626, 1627, 1628, 1637, 1646, 1673.

No. 1675.—AN ACT for the relief of John Milsted, of Escambia County, Florida.

Aug. 8, 1846.
Vol. 9, p. 667.

Be it enacted, &c., That John Milsted be authorized to surrender the evidence of title issued to him by the United States for the northeast quarter of the southeast quarter of section twenty-five, in township three north, of range twenty-three west, entered by him at the land office at Tallahassee, in the Territory (now State) of Florida, by mistake; and upon the surrender of such evidence of title, under such rules and regulations as the Commissioner of the General Land Office may prescribe, the said John Milsted shall be authorized to enter, in lieu thereof, the northeast quarter of the southeast quarter of section twenty-five, in township three north of range thirty-two west, it being the tract that the said John Milsted intended to enter: *Provided*, That the said entry shall be made within six months after the passage of this act: *And provided further*, The said entry shall not be made to the prejudice of the rights of any other person or persons.

John Milsted authorized to surrender evidence of title to a quarter-section of land, and to enter other land in lieu thereof.
Entry to be made in six months.

Proviso.

No. 1676.—AN ACT for the relief of the heirs and legal representatives of Richard C. Allen, deceased.

Aug. 10, 1846.
Vol. 9, p. 676.

Be it enacted, &c., That the heirs or legal representatives of Richard C. Allen, deceased, late of the Territory (now State) of Florida, be authorized to enter and patent, under such regulations as the Secretary of the Treasury may prescribe, one section of public land, according to legal subdivisions, subject to sale in the State of Florida, to which there may be no preëmption right, in full satisfaction of all claims for the services and expenses of said Allen in locating lands reserved for a seminary of learning in said State.

Heirs or legal representatives of R. C. Allen authorized to enter and patent one section of land in Florida.

No. 1677.—AN ACT to regulate the exercise of the appellate jurisdiction of the Supreme Court of the United States, in certain cases, and for other purposes.

Feb. 22, 1847.
Vol. 9, p. 128.

Be it enacted, &c., That all and singular the records of the proceedings in the several cases which were pending in the superior courts [of the] late Territory of Florida, under and by virtue of the act of Congress of the twenty-third of May, eighteen hundred and twenty-eight, entitled "An act supplementary to the several acts providing for the settlement and confirmation of private land claims in Florida," and under and by virtue of an act entitled "An act to provide for the final settlement of land claims in Florida," approved twenty-sixth May, eighteen hundred and thirty, and in the several cases which were pending in the court of appeals of the same Territory, on the third day of March, in the year of our Lord one thousand eight hundred and forty-five, and all and singular the records of the proceedings in the several cases in which judgments or decrees had been rendered in the said courts on or before that day, and from which writs of error could have been sued out or appeals could have been taken, or from which writs of error had been sued out, or appeals had been taken, and prosecuted to the Supreme Court of the United States, according to the laws of the United States which were in force on the said third day of March, in the year of our Lord one thousand eight hundred and forty-five, shall, from and after the passing of this act, be transferred to and deposited in the district court of the United States for the district of Florida.

Jurisdiction of suits.
Records and proceedings in certain cases to be transferred to the district court of the United States for the district of Florida.

The judge to cause the same to be notified to the clerks of the superior courts, &c.

Delivery of records, &c., may be compelled.

Writs of error and appeals to the Supreme Court of the United States, from certain courts in Florida.

District court of Florida to take cognizance of certain cases.

Appeals.

One year allowed to the parties in certain cases for suing out writs of error and taking appeals to the Supreme Court of United States.

Transfer of unfinished business and proceedings.

SEC. 2. *And be it further enacted*, That it shall be the duty of the judge of the district court of the United States for the district of Florida, immediately after the passing of this act, to cause the same to be notified to the several clerks of the superior courts, or other officers or persons having in their possession or custody the records of the proceedings in the first section of this act referred to and described, and to demand the delivery of the same, to be deposited as in and by the said first section of this act is required; and on the refusal of such clerk or other officer or person to comply with such demand, the said judge of the district court of the United States is hereby authorized and required to compel the delivery of the said records by attachment or otherwise, according to law.

SEC. 3. *And be it further enacted*, That in all cases in which judgment or decrees have been rendered in the said superior courts or court of appeals of the late Territory of Florida, and from which writs of error have been sued out or appeals have been taken to the Supreme Court of the United States, the said Supreme Court shall be, and is hereby, authorized to hear and determine the same, and the mandates of the said Supreme Court for the execution of the judgments or decrees so to be rendered by them, and all other writs which may be necessary in the exercise of the appellate jurisdiction of the said Court in such cases, shall be directed to the district court of the United States for the district of Florida; and the said district court shall cause the same to be duly executed and obeyed.

SEC. 4. *And be it further enacted*, That the district court of the United States for the district of Florida shall take cognizance of all cases which were pending and undetermined in the said superior courts, under and by virtue of the act of Congress of the twenty-third May, eighteen hundred and twenty-eight, entitled "An act supplementary to the several acts providing for the settlement and confirmation of private land claims in Florida," and under and by virtue of an act entitled "An act to provide for the final settlement of land claims in Florida," approved twenty-sixth May, eighteen hundred and thirty; and of all cases which were pending and undetermined in the court of appeals of the late Territory of Florida, and from the judgments or decrees to be rendered in which writs of error could have been sued out or appeals could have been taken to the Supreme Court of the United States, under the laws which were in force on the third day of March, in the year of our Lord one thousand eight hundred and forty-five, and shall proceed to hear and determine the same; and from the judgments or decrees to be rendered by the said district court, writs of error may be sued out or appeals may be taken to the Supreme Court of the United States, in the same manner as if such judgments or decrees had been rendered in the court of appeals of the Territory of Florida; and the mandates and all writs necessary to the exercise of the appellate jurisdiction of the said Supreme Court in such cases, shall be directed to the district court of the United States for the district of Florida, and the said district court shall cause the same to be duly executed and obeyed.

SEC. 5. *And be it further enacted*, That in all cases not legally transferred to the State courts in which judgments or decrees have been rendered in the superior courts or court of appeals of the late Territory of Florida from which writs of error could have been sued out or appeals could have been taken to the court of appeals of said Territory, or to the Supreme Court of the United States under the laws which were in force on the third day of March, in the year of our Lord one thousand eight hundred and forty-five, and in which writs of error have not hitherto been sued out or appeals have not hitherto been taken, there shall be allowed to the parties in the said cases the term of one year, from and after the passing of this act, for suing out such writs of error or taking such appeals to the Supreme Court of the United States, which shall have jurisdiction to review the same.

SEC. 6. *And be it further enacted*, That any unfinished business or proceedings now remaining or pending before the judge of the superior court at St. Augustine, as a commissioner under and by virtue of the "Act for the relief of certain inhabitants of East Florida," approved twenty-sixth June, eighteen hundred and thirty-four, or under any other act granting special powers, or imposing special duties upon said judge be, and the same are hereby, transferred to the judge of the district court of the district of Florida, to be proceeded in and finished, or decided, in the same manner provided for by law; and the said district

judge shall have, exercise, and possess, the same duties, powers, and rights, which have by virtue of the act of twenty-sixth June, eighteen hundred and thirty-four aforesaid, or otherwise, been possessed and exercised by the said judge of the superior court at St. Augustine, so far as may be necessary to enable the said district judge to determine and finish any matter, business, or proceedings now pending and undetermined before the judge of the superior court aforesaid, by virtue of any such special act.

SEC. 7. *And be it further enacted*, That all and singular, the provisions of this act, so far as may be, shall be, and they are hereby, made applicable to all cases which were pending in the supreme or other superior courts of and for the late Territory of Michigan at the time said Territory was admitted as a State into the Union, and to all cases in which judgments or decrees have been rendered in said supreme or superior court of said late Territory of Michigan, and not hitherto removed as aforesaid by writ of error or appeal. The provisions of this act made applicable to cases pending in the courts of the late Territory of Michigan.

SEC. 8. *And be it further enacted*, That in all cases pending in any of the superior courts of said Territory of Florida, or in the court of appeals of said Territory, on the third day of March, eighteen hundred and forty-five, and not legally transferred to the State courts of the State of Florida, and which said Territorial courts continued to hold cognizance of, and proceeded to determine after said day, or which are claimed to have been since pending therein as courts of the United States; and in all cases of federal character, and jurisdiction commenced in said Territorial courts after said day, and in which judgments or decrees were rendered, or which are claimed to have been since pending therein, the records and proceedings thereof, and the judgments or decrees therein are hereby transferred to the district court of the United States for the district of Florida; and writs of error and appeals may be taken by either party to remove the judgments or decrees that have been, or may be, rendered in such cases unto the Supreme Court of the United States, and the Supreme Court may hear and decide such cases on such writ of error or appeal, and issue its mandate to said district court: *Provided, however*, Such writ of error or appeal shall be taken within one year from the passage of this act, or one year from the rendition of such judgment or decree hereafter rendered: *And provided, also*, That nothing in this act shall be construed as affirming or disaffirming the jurisdiction, power, or authority of the Territorial judges to proceed in, or try, or determine such cases after the third of March, eighteen hundred and forty-five, but the same may be referred to said Supreme Court for its decision in all said cases on such writs of error or appeal. (a) Other cases which are to be transferred to the district court for the district of Florida.

Writs of error and appeals.

Limitation of one year.
Construction of this act.

(a) See Nos. 957, 961, 967, 1268, 1624, 1629, 1630, 1631, 1633, 1634, 1636, 1640, 1641, 1643, 1647, 1699, 1700, 1701, 1704, 1710.

NO. 1678.—AN ACT respecting certain surveys in the State of Florida.

June 28, 1848.
Vol. 9, p. 242.

Be it enacted, &c., That the Commissioner of the General Land Office is hereby authorized and directed to cause to be surveyed, as soon as practicable, the islands and keys, and other lands in South Florida, interspersed with water, which cannot conveniently be connected with the regular public surveys; and also the private claims or grants which have been duly confirmed, situate in said State; and that such surveys of said islands, keys, and lands interspersed with water as aforesaid may be made by such persons on such terms, and in such mode and manner, as said Commissioner may deem most expedient and proper, without connection thereof with the other public surveys, by township lines; but the expense thereof shall not exceed the maximum price per mile heretofore allowed for surveys by the United States in other States or Territories; and the surveys of said private claims or grants may be made by such persons, and on such terms, as said Commissioner may deem most expedient and proper; but the expense thereof shall not in any case exceed twenty-five per centum on the said price heretofore allowed in addition to such price: *Provided, however*, That it shall be the duty of the President at some convenient time, and before offering any of said islands for sale, to have an examination made by, and a report from, a board of engineers, to ascertain whether any of said Certain islands, keys, and other lands in South Florida to be surveyed.

Expense of surveys limited.

Provision for an examination before sale.

islands or parts of them, and if so, which of them, should be reserved from sale for the use of the United States; and that all islands or parts of islands recommended by such board to be reserved for public use shall be reserved from sale. (a)

(a) See Nos. 1629, 1630, 1632.

July 1, 1848.
Vol. 9, p. 243.

No. 1679.—AN ACT for the relief of the bona-fide settlers under the acts for the armed occupation and settlement of a part of the Territory of Florida.

Bona-fide settlers under the act for the armed occupation and settlement of a part of the Territory of Florida to be entitled to patents for the lands settled and occupied by them.

Be it enacted, &c., That in all cases in which proof shall be made to the satisfaction of the Commissioner of the General Land Office that any person who obtained a permit under the act entitled "An act to provide for the armed occupation and settlement of the unsettled part of the peninsula of Florida," approved August fourth, eighteen hundred and forty-two, and who was an occupant under that act, and the act amendatory thereof, approved June fifteenth, eighteen hundred and forty-four, and who actually occupied or settled under said acts, and did not voluntarily relinquish and abandon the same, but continued to reside on said frontier south of said line specified in said act of eighteen hundred and forty-two, thereby aiding to effect the object of said acts, and who has not received the lands provided by said acts, such settler shall be entitled to a grant and patent for the land so occupied or settled by him, the same as if all the conditions and stipulations of said acts and requirements of the General Land Office in relation thereto had been fully and strictly fulfilled and complied with.

Settlers may locate their rights, if interfered with, by prior claims on other lands in the same or adjacent township.

SEC. 2. *Be it further enacted,* That in all cases where the lands settled or occupied by such settler, or any part thereof, were or are not legally subject to donation under the said acts on any account whatever, then such settler may locate his right, or the part so interfered with, on any vacant public lands in the same, or any adjacent township.

This act extended to widows and heirs of settlers.

SEC. 3. *And be it further enacted,* That this act shall extend to, and be construed and executed for, the benefit of the widow and heirs of any settler, according to the principles of the fifth section of said first above-recited act.

Secretary of the Treasury to appoint an agent to proceed to Florida, where the said lands lie to receive proof in relation to such settlement and occupation.

SEC. 4. *And be it further enacted,* That immediately after the passage of this act, the Secretary of the Treasury shall appoint an agent to proceed forthwith to the different county seats of the counties of the State of Florida, where said lands lie, who shall attend at least ten successive days at each county seat, if so long time be necessary, to take and receive proof by depositions before him, or in such manner as he may prescribe in relation to such settlement or occupation, and of settlers being entitled under this act to a grant or donation of land as aforesaid; and said agent shall also attend at such other places in said settlements as the convenience of such settlers in furnishing their proofs may demand, under the instructions of the General Land Office; and said agent shall, within five months after he shall commence his duties in said State, transmit all the proofs he may take, and make report of his opinion as to each case to said Commissioner of the General Land Office, who shall proceed forthwith to examine and decide said cases: *Provided,* That if any settler does not submit his proof to such agent within four months after reasonable notice, by advertisement of the times and places of his attendance to receive such proof, said settlers shall not have the benefit of this act; and all the cases reported as aforesaid shall be definitively decided by the Commissioner of the General Land Office within two months after the report thereof is received at his office; and said agent shall be allowed the same compensation as is allowed by law to examining agents of the Treasury Department. (a)

Said agent to transmit all the proofs taken by him, with his opinion in each case, to the Commissioner of the General Land Office.

Time of proof limited.

Decision, how made.

Salary of agent.

(a) See Nos. 1665, 1671.

July 25, 1848.
Vol. 9, p. 726.

No. 1680.—AN ACT to confirm the location and to grant a quarter-section of public lands for the county site of Hillsborough County, State of Florida.

Confirmation of location and grant of a quarter-section of land to Hillsborough County, Florida, for county site.

Be it enacted, &c., That the location of the county commissioners of the county of Hillsborough, in the State of Florida, of one hundred and sixty acres of land for the county site of said county, at Tampa, viz: beginning on the east bank of Hillsborough River, at the point where the reduced military reservation, as made by Major L. Whiting, September fourteenth, eighteen hundred and forty-six, strikes the same; thence up said river, binding thereon, to a point at least a half a mile

in a straight line from the beginning; thence northeasterly to a point from whence a line running parallel to said straight line, and striking the line of said reduced reservation; and thence along the lines of said reservation to the place of beginning—shall include between said river and said lines one hundred and sixty acres of land; and the same is hereby granted to said commissioners of the said county, and their successors in office, for the use of said county, the proceeds of sales to be applied to the building of a court-house and jail, and other public buildings for said county; and the Commissioner of the General Land Office shall cause said one hundred and sixty acres of land, granted as aforesaid, to be surveyed, and the survey confirmed, as soon as practicable; and a patent shall issue therefor to said commissioners, for the use of said county, as aforesaid, referring to this act.

Proceeds of sales, how to be applied.

No. 1681.—AN ACT for the relief of Jesse Turner.

Aug. 14, 1848.
Vol. 9, p. 740.

Be it enacted, &c., That there be, and hereby is, confirmed unto Jesse Turner, of the State of Florida, one hundred and fifty acres of land lying on the north side of Trout Creek, north of the river St. John, to the west of the Bouck house, in the county of Duval, and State of Florida, being the same tract of land surveyed to James Turner by order of the Spanish Government on the fifteenth day of December, eighteen hundred and eighteen, and on which the said Jesse Turner has resided upwards of twenty years.

The title of Jesse Turner to a tract of 150 acres of land in Florida confirmed to him.

No. 1682.—AN ACT to grant to the Atlantic and Gulf Railroad Company the right of way through the public lands of the United States.

March 3, 1849.
Vol. 9, p. 771.

Be it enacted, &c., That the right of way shall be, and is hereby, granted to the Atlantic and Gulf Railroad Company, over and through any of the public lands of the United States, in the State of Florida, over which the road authorized by said State may pass; and the said company is hereby authorized to survey and mark through the said public lands to be held by them for the track of said road one hundred feet in width; and, furthermore, an additional quantity of twenty-five feet in width on each side of said road along the same.

Right of way through the lands of the United States granted to the Atlantic and Gulf Railroad Company.

SEC. 2. *And be it further enacted*, That the said company shall have the right to take from the public lands in the vicinity of said road all such materials of earth, stone, or wood, as may be necessary or convenient from time to time for the actual construction and repair of said road or any part thereof.

Said company may take from the public lands such materials as may be necessary.

SEC. 3. *And be it further enacted*, That there shall be, and is hereby, granted to said company all necessary sites for watering-places, depots, and workshops, along the line of said road, so far as the places convenient for the same may fall upon the public lands: *Provided*, That no one depot or watering-place shall contain over five square acres, and that said sites shall not be nearer to each other than ten miles along the line of said road: *Provided*, That the grants herein contained, as well of the use of the public lands as of the materials for the construction of said road, shall cease and determine, unless the road be begun within two years and completed within six years thereafter: *And provided, moreover*, That if the said road shall at [any] time after its completion be discontinued or abandoned by the said company, the grants hereby made shall cease and determine. (a)

All necessary sites for watering places, depots, &c., granted to said company. Proviso.

Proviso.

Proviso.

(a) See Nos. 1691, 1654, 1658, 1659, 1690, 1691, 1703, 1706, 1707, 1709, 1712.

No. 1683.—AN ACT for the relief of Richard H. Barrett.

July 29, 1850.
Vol. 9, p. 799.

Be it enacted, &c., That Richard H. Barrett shall be entitled to the northeast quarter, section twenty-eighth, township ten, south range twenty-six east, in the St. Augustine district, in the State of Florida: *Provided*, That it shall not interfere with any other private claimant, and that a patent for the same shall be issued accordingly.

Land patent to issue to R. H. Barrett for a quarter-section of land.

No. 1684.—AN ACT to legalize certain entries of public land made in the State of Florida.

May 26, 1852.
Vol. 10, p. 7.

Be it enacted, &c., That the several entries of land (embracing tracts once reserved to satisfy claims under the armed occupation act, but which claims were forfeited prior to the allowance of said entries,) per-

Entries at New-nansville confirmed.

Proviso.

mitted at the land office at Newnansville, in the State of Florida, be, and the same are hereby confirmed, and patent shall issue thereon as in other cases: *Provided*, That the land so entered shall have been, upon the faith of the register's certificate, improved by the party in interest under said certificate, and that the said land is not claimed by adverse parties. (a)

(a) See Nos. 1630, 1635, 1651, 1652, 1667, 1670, 1672, 1691, 1692, 1695, 1713, 1714.

Feb. 5, 1853.
Vol. 10, p. 750.

Title of representatives of Jeremiah Wingate to land in Florida confirmed.

No. 1685.—AN ACT for the relief of the heirs of Jeremiah Wingate.

Be it enacted, &c., That the representatives of Jeremiah Wingate, deceased, late of Florida, be, and they are hereby, confirmed in their title to a certain tract of land containing four hundred and twenty acres, lying on the north side of Nausa River, in the State of Florida, according to the plats and certificate of survey made by George J. F. Clarke, dated the second and twenty-third of December [and] the sixth of October, eighteen hundred and eighteen, now of file in the public archives of East Florida, the said tract being the same confirmed to the said Jeremiah Wingate during his lifetime, on the fifteenth of November, eighteen hundred and twenty-seven, by the "board of commissioners" appointed to ascertain claims and titles to land in Florida, pursuant to the act entitled "An act granting donations to certain actual settlers in the Territory of Florida," approved May twenty-sixth, eighteen hundred and twenty-four; and that the Commissioner of the General Land Office, upon the presentation of the aforesaid plats and certificate of survey of said tract, issue a patent or patents for the same, which patent shall operate as a relinquishment only on the part of the United States.

Patent to issue.
How to operate.

July 27, 1854.
Vol. 10, p. 792.

Manuel Hernandez to locate 800 arpens of land on the public lands of Florida.

No. 1686.—AN ACT for the relief of Manuel Hernandez.

Be it enacted, &c., That Manuel Hernandez be, and he is hereby, authorized to locate, not to exceed eight hundred arpens of land, French measure, according to the legal subdivisions, on any of the public lands in the State of Florida, subject to private entry, which shall be in full compensation for all the damages he may have sustained in being dispossessed of eight hundred arpens of land, about three miles distant from the mouth of the Escambia River, lying and situate between the lands of Joseph Noriega and those of the free mulatto named Charles, being the same lands that were granted to Joseph Hernandez, deceased, by the Spanish Government, on the eighth day of October, eighteen hundred and seventeen.

Patent to be issued.

SEC. 2. *And be it further enacted*, That the Commissioner of the General Land Office, upon the receipt of the certificate of entry from the register of the proper land office, shall cause to be issued a patent for the lands authorized to be located by this act.

July 27, 1854.
Vol. 10, p. 795.

Thomas D. Jennings to enter 160 acres of land on certain conditions.

No. 1687.—AN ACT for the relief of Thomas D. Jennings.

Be it enacted, &c., That Thomas D. Jennings, of Florida, be, and he is hereby, authorized to enter, at the minimum price of the public lands, a quantity of land not exceeding one hundred and sixty acres, comprising the improvement on which his late father, Lawrence D. Jennings, resided before his death, on due proof being presented to the register of the proper land office that he would have been entitled to a preëmption but for the removal of the family after the death of the father.

Aug. 5, 1854.
Vol. 10, p. 590.

New land district established in Florida.

No. 1688.—AN ACT to establish a land district in the State of Florida, to be called the district of Tampa.

Be it enacted, &c., That all that part of the land districts of Neunansville and St. Augustine in the State of Florida, lying south of the line dividing townships nineteen and twenty, south, be, and the same is hereby created a land district, to be called the district of Tampa, the office for which shall be at Tampa.

SEC. 2. *And be it further enacted*, That this act shall take effect at the expiration of six months from the day of its passage. (a)

(a) See Nos. 1630, 1632, 1667, 1689, 1708.

No. 1689.—AN ACT to amend "An act to establish a land district in the State of Florida, to be called the district of Tampa."

March 2, 1855.
Vol. 10, p. 629.

Be it enacted, &c., That the President be, and he is hereby, authorized to appoint, by and with the advice and consent of the Senate, a register and a receiver for the land district called Tampa, in the State of Florida, which district was created by the act approved August fifth, eighteen hundred and fifty-four, whose compensation, duties, responsibilities, and emoluments shall be the same as is or may be prescribed by law for other land officers in said State. (a)

(a) See Nos. 1630, 1632, 1667, 1688, 1708,

No. 1690.—AN ACT making appropriations for the naval service, for the year ending the thirtieth of June, one thousand eight hundred and fifty-six.

March 3, 1855.
Vol. 10, p. 675.

* * * * *

SEC. 3. *And be it further enacted,* That the right of way, one hundred feet in width, through the lands reserved west of the navy-yard, Pensacola, be, and the same is hereby, granted to Jasper Strong, George Terrill, and their associates, for the construction of a railroad from the Perdido River, on the most direct and practicable route, to the waters of Pensacola Bay, and the use of any timber, or other materials along the route of said road, and within a half a mile on each side thereof, which may be necessary in the construction thereof; and at the terminus of said road on Pensacola Bay, the said Strong, Terrill, and their associates shall have the privilege of erecting a wharf and of establishing a depot for lumber, and other articles, not more than one acre in extent: *Provided,* Said road shall be constructed on such line, and the terminus be at such point on Pensacola Bay, as shall be approved by the Navy Department: *And provided, further,* That this act shall not be so construed as to authorize said Strong, Terrill, and their associates, to use or destroy any timber which the Navy Department may direct to be preserved for Navy purposes: *And provided, further,* That, in the opinion of the Secretary of Navy, the privileges conferred by this act will not be prejudicial to the public interest, or public property.

Right of way granted at Pensacola for a railroad.

SEC. 4. *And be it further enacted,* That a like privilege, in every respect, to the grant herein made to Jasper Strong, George Terrill, and their associates, be, and the same is hereby, granted to James Herron, of Escambia County, and his associates, for the construction of a railroad from his steam saw and grist mills, on the Perdido River, through the Government lands west of the navy-yard, to the Bay of Pensacola. (a)

Another grant for same purpose.

(a) See Nos. 1621, 1654, 1658, 1659, 1682, 1691, 1703, 1706, 1707, 1709, 1712

No. 1691.—AN ACT granting public lands, in alternate sections, to the States of Florida and Alabama, to aid in the construction of certain railroads in said States.

May 17, 1856.
Vol. 11, p. 15.

Be it enacted, &c., That there be and is hereby granted to the State of Florida, for the purpose of aiding in the construction of railroads from St. John's River, at Jacksonville, to the waters of Escambia Bay, at or near Pensacola; and from Amelia Island, on the Atlantic, to the waters of Tampa Bay, with a branch to Cedar Key, on the Gulf of Mexico; and also a railroad from Pensacola to the State line of Alabama, in the direction of Montgomery, every alternate section of land designated by odd numbers, for six sections in width on each side of each of said roads and branch. But in case it shall appear that the United States have, when the lines or routes of said roads and branch are definitely fixed, sold any sections, or any parts thereof, granted as aforesaid, or that the right of preëmption has attached to the same, then it shall be lawful for any agent or agents to be appointed by the governor of said State, to select, subject to the approval of the Secretary of the Interior, from the lands of the United States nearest to the tiers of sections above specified, so much land in alternate sections or parts of sections, as shall be equal to such lands as the United States have sold, or otherwise appropriated, or to which the rights of preëmption have attached as aforesaid; which lands (thus selected in lieu of those sold and to which preëmption rights have attached as aforesaid, together with the sections and parts of sections designated by odd numbers, as aforesaid, and appropriated as aforesaid,) shall be held by the State of

Grant of lands to Florida for railroads.

Grant in lieu of sold or pre-empted sections.

Grant, how applied.

Act not to apply to reservations except as to right of way.

Price of alternate sections to be doubled.

Object of grant. Railway to be a public highway for Government.

Lands, how disposed of.

Transportation of mail.

Similar grant to Alabama.

Florida for the use and purpose aforesaid: *Provided*, That the land to be so located shall in no case be further than fifteen miles from the lines of said roads and branch, and selected for and on account of each of said roads and branch: *Provided further*, That the lands hereby granted for and on account of said roads and branch, severally, shall be exclusively applied in the construction of that road or branch for and on account of which such lands are hereby granted, and shall be disposed of only as the work progresses, and the same shall be applied to no other purpose whatsoever: *And provided further*, That any and all lands heretofore reserved to the United States by any act of Congress, or in any other manner by competent authority, for the purpose of aiding in any object of internal improvement, or for any other purpose whatsoever, be, and the same are hereby, reserved to the United States from the operation of this act, except so far as it may be found necessary to locate the routes of said railroads or branch through such reserved lands; in which case the right of way only shall be granted, subject to the approval of the President of the United States. (a)

SEC. 2. *And be it further enacted*, That the sections and parts of sections of land which, by such grant, shall remain to the United States within six miles on each side of said roads and branch, shall not be sold for less than double the minimum price of the public lands when sold; nor shall any of said lands become subject to private entry until the same have been first offered at public sale at the increased price. (b)

SEC. 3. *And be it further enacted*, That the said lands hereby granted to the said State shall be subject to the disposal of the legislature thereof for the purposes aforesaid, and no other; and the said railroads and branch shall be and remain public highways for the use of the Government of the United States, free from toll or other charge upon the transportation of any property or troops of the United States.

SEC. 4. *And be it further enacted*, That the lands hereby granted to said State shall be disposed of by said State only in manner following, that is to say: that a quantity of land, not exceeding one hundred and twenty sections for each of said roads and branch, and included within a continuous length of twenty miles of each of said roads and branch, may be sold; and when the governor of said State shall certify to the Secretary of the Interior that any twenty continuous miles of any or either of said roads or branch, is completed, then another quantity of land hereby granted, not to exceed one hundred and twenty sections for each of said roads or branch having twenty continuous miles completed as aforesaid, and included within a continuous length of twenty miles of each of such roads or branch, may be sold; and so, from time to time, until said roads and branch are completed; and if any or either of said roads or branch is not completed within ten years, no further sales shall be made, and the lands unsold shall revert to the United States.

SEC. 5. *And be it further enacted*, That the United States mail shall be transported over said roads and branch, under the direction of the Post-Office Department, at such price as Congress may, by law, direct: *Provided*, That until such price is fixed by law, the Postmaster-General shall have the power to determine the same.

SEC. 6. *And be it further enacted*, That a similar grant of alternate sections of public land is hereby made to the State of Alabama, to aid in the construction of a railroad from Montgomery, in said State, to the boundary line between Florida and Alabama, in the direction of Pensacola, and to connect with the road from Pensacola to said line, upon the same terms and conditions in all respects as are hereinbefore prescribed for the grant to Florida. (a)

(a) See Nos. 1621, 1654, 1658, 1659, 1692, 1690, 1703, 1706, 1707, 1709, 1712.

(b) See Nos. 1630, 1635, 1651, 1652, 1667, 1670, 1672, 1684, 1692, 1695, 1713, 1714.

Aug. 18, 1856.
Vol. 11, p. 87.

No. 1692.—AN ACT making appropriations for certain civil expenses of the Government for the year ending the thirtieth of June, eighteen hundred and fifty-seven.

Certain reservations in Florida may be sold.

Be it enacted, &c., * * * * *
That all public lands heretofore reserved for military purposes in the State of Florida, which said lands, in the opinion of the Secretary of War, are no longer useful or desired for such purposes, or so much thereof as said Secretary may designate, shall be and are hereby placed under the control of the General Land Office, to be disposed of and sold in the

same manner and under the same regulations as other public lands of the United States: *Provided*, That said lands shall not be so placed under the control of said General Land Office until said opinion of the Secretary of War, giving his consent, communicated to the Secretary of Interior in writing, shall be filed and recorded. (a)

(a) See Nos. 1630, 1635, 1651, 1652, 1667, 1670, 1672, 1684, 1691, 1695, 1713, 1714.

No. 1693.—AN ACT for the relief of George F. Baltzell, assignee of James P. Roan. March 2, 1857.
Vol. 11, p. 505.

Be it enacted, &c., That George F. Baltzell, of the State of Florida, assignee of James P. Roan, be permitted to enter at any land office in the State of Florida, a full section of land, or less quantity in lieu thereof, by divisional lines, without making payment therefor: *Provided*, That the same shall be deemed and taken as a full satisfaction of any and all claims of the said James P. Roan, and the said George F. Baltzell, his assignee, under an act of Congress entitled "An act granting donations of land to certain actual settlers in the Territory of Florida," approved May twenty-sixth, eighteen hundred and twenty-four: *And provided further*, That in his location as aforesaid, the said George F. Baltzell shall in no case select any tract of land containing a less number than one hundred and sixty acres.

George F. Baltzell permitted to enter a section of land in Florida.

The same to be in satisfaction of the claims of said Baltzell and Jas. P. Roan under act of 1824.

No tract less than 160 acres to be selected.

No. 1694.—AN ACT for the relief of John Dick, of Florida.

June 1, 1858.
Vol. 11, p. 532.

Be it enacted, &c., That the Commissioner of the General Land Office shall cause a patent to be issued to John Dick, for lots numbered ten, of section twenty-nine, and one of section thirty-one, fractional section of thirty, and the northwest quarter of the northwest quarter of section thirty-two, all lying in township ten south, of range twenty-seven east, containing one hundred and fifty-three acres, situate in East Florida, and of the lands subject to sale at St. Augustine, Florida: *Provided*, That such patent shall only operate as a relinquishment of title on the part of the United States, and shall not affect the rights of any third person.

Patent of lands in Florida to issue to John Dick.

Proviso.

No. 1695.—AN ACT making appropriations for the support of the Army for the year ending the thirtieth June, eighteen hundred and fifty-nine.

June 12, 1858.
Vol. 11, p. 332.

SEC. 6. *And be it further enacted*, That all the existing laws, or parts of laws which authorize the sale of military sites which are or may become useless for military purposes be, and the same are hereby, repealed, and said lands shall not be subject to sale or preëmption under any of the laws of the United States: *Provided, further*, That the provisions of the act of August eighteenth, eighteen hundred and fifty-six, relative to certain reservations in the State of Florida, shall continue in force. (a)

All laws authorizing the sale of military sites useless for military purposes, repealed.

Proviso.

(a) See Nos. 1630, 1635, 1651, 1652, 1667, 1670, 1672, 1684, 1691, 1692, 1713, 1714.

No. 1696.—AN ACT to confirm to the heirs or assigns of Bernardo Sequi, title to lands in East Florida.

Feb. 23, 1859.
Vol. 11, p. 562.

Be it enacted, &c., That the grant to Bernardo Sequi, of seven thousand acres of land lying on the east side of the St. John's River, in East Florida, between the place called Dunn's Lake and that known as Horse Landing, including the place called "Buffalo Bluff," made by "Estrada," the then governor of the province of East Florida, on the twentieth day of December, eighteen hundred and fifteen, be confirmed to the said grantee and those claiming under him, and that the Commissioner of the General Land Office be directed to cause the lands described in said grant to be surveyed to the claimant, without prejudice to any third person.

Land grant to Bernardo Sequi, &c., confirmed.

Feb. 23, 1859.
Vol. 11, p. 564.

Claimants under John Huertas may enter certain lands in Florida.

Proviso.

No. 1697.—AN ACT to authorize the claimants in right of John Huertas to enter certain lands in Florida.

Be it enacted, &c., That the claimants in right of John Huertas to a tract of six thousand acres in Florida, confirmed by the Supreme Court of the United States at the January term in eighteen hundred and thirty-four, be, and they are hereby, authorized to enter, at any land office in the State of Florida, the quantity of three thousand three hundred and thirty-two acres and thirty-hundredths of an acre of any of the public lands in that State subject to private entry, the same being in addition to the area of two thousand six hundred and sixty-seven acres and seventy-hundredths of an acre surveyed for said claim, and designated as section forty-eight, in township nine south, of range twenty-seven east, in the St. Augustine land district, Florida, and being the difference between the quantity embraced by said survey and the six thousand acres confirmed for said claim as aforesaid; and the register and receiver of any of the aforesaid land offices shall receive the proper applications and proofs, and shall issue the necessary certificate; upon the return of which to the General Land Office, with satisfactory proof of the rights of the claimants, a patent shall issue for the lands so located: *Provided*, Said land shall not be located upon any land within six miles of any railroad.

March 3, 1859.
Vol. 11, p. 568.

Land claim of heirs of Jehu Underwood to be settled, &c.

No. 1698.—AN ACT to provide for the final settlement of the land claim of the persons claiming as heirs of, or under Jehu Underwood, as purchasers or otherwise to certain land in Florida, and to confirm the title to the proper owner or owners.

Be it enacted, &c., That the claim and title, derived from the Spanish Government, by John or Jehu Underwood to land in the State of Florida, so far as the same remains unsettled, shall be received and adjudicated by the judge of the district court of the northern district of Florida, upon the petition of the heirs of said Underwood, or of any other person or persons claiming under him as purchasers or otherwise, according to the forms, rules, and regulations prescribed by Congress in similar cases, and in the same manner, in all respects, as such claim would have been received and adjudicated if said claim had been presented within the time prescribed by the several acts of Congress for presenting the same for confirmation. And so far as said claim is unsettled and is found to be valid, the said district court shall, and is hereby, authorized and required to enforce the location thereof to the person or persons entitled thereto, as heirs, purchasers, or otherwise, under the same rules and regulations as have been exercised in regard to other mill grants in Florida.

April 13, 1860.
Vol. 12, p. 11.

Claims to certain lands, granted by Georgia, which may fall in Florida, to be confirmed when, &c.

If Georgia first confirms certain grants by the United States of lands in Florida.

No. 1699.—AN ACT to settle the titles to lands along the boundary line between the States of Georgia and Florida.

Be it enacted, &c., That whenever the dividing line between the States of Georgia and Florida shall have been finally surveyed, approved, ratified, and confirmed, as the boundary between those States, the Secretary of the Interior shall be and is hereby, authorized to adjudicate upon principles of equity and justice, all claims, under sales or grants by the State of Georgia, to lands which may fall within the State of Florida, and all of said claims which may be approved by him shall be and are hereby ratified and confirmed: *Provided*, however, that the State of Georgia shall first ratify and confirm all sales and grants made by the United States of lands in Florida which may fall within the limits of the State of Georgia under the final adjustment of the boundary line aforesaid. (a)

(a) See Nos. 957, 961, 967, 1268, 1624, 1629, 1630, 1631, 1633, 1634, 1636, 1640, 1641, 1643, 1647, 1677, 1700, 1701, 1704, 1710.

June 22, 1860.
Vol. 12, p. 85.

No. 1700.—AN ACT for the final adjustment of private land claims in the States of Florida, Louisiana, and Missouri, and for other purposes.

[See LOUISIANA, No. 957.]

No. 1701.—AN ACT to extend the provisions of an act entitled "An act for the final adjustment of private land claims in the States of Florida, Louisiana, and Missouri, and for other purposes."

March 2, 1867.
Vol. 14, p. 544.

[See LOUISIANA, No. 961.]

No. 1702.—AN ACT to confirm the title of Ethan Ray Clarke and Samuel Ward Clarke to certain lands in the State of Florida, claimed under a grant from the Spanish Government.

July 4, 1868.
Vol. 15, p. 377.

Be it enacted, &c., That the title of Ethan Ray Clarke and Samuel Ward Clarke to a tract of land five miles square on Black Creek, south of Saint Mary's River, in the State of Florida, and bounded as follows: upon one side by the Saint Mary's River, and upon the other side by vacant lands, being the same lands to which an exclusive right to take the timber was granted by the Spanish Government to John Underwood, and upon which he erected a saw-mill in eighteen hundred and five, and which was kept up and continued for many years, be, and the same is hereby, confirmed: *Provided, however,* That nothing herein contained shall operate to the prejudice of any claim which may be set up to said land by reason of any previous sale thereof; nor shall this act in any way prejudice any claimant under the said John Underwood, or any person deriving title or claim thereto under said Underwood, his heirs or assigns, or of any person or persons who may be entitled to pre-emption rights under any existing laws of the United States.

Title of Ethan Ray Clarke and Samuel Ward Clarke to certain land in Florida confirmed.

Adverse rights not affected.

No. 1703.—A RESOLUTION granting the right of way to the Pensacola and Barrancas Railroad Company through the naval and military reservations near Pensacola, Florida.

Jan. 30, 1871.
Vol. 16, p. 593.

Resolved, &c., That the right of way is hereby granted to the Pensacola and Barrancas Railroad Company to construct their road upon and through the naval and military reservations near Pensacola, Florida, under such regulations, restrictions, and conditions as the Secretary of the Navy and the Secretary of War may prescribe. (a)

Right of way to the Pensacola and Barrancas Railroad Co

(a) See Nos. 1621, 1634, 1658, 1659, 1682, 1690, 1691, 1706, 1707, 1709, 1712.

No. 1704.—AN ACT to settle and quiet the titles to lands along the boundary line between the States of Georgia and Florida.

April 9, 1872.
Vol. 17, p. 52.

Be it enacted, &c., That the titles to all lands lying south of the line dividing the States of Georgia and Florida, known as the Orr and Whittier line, lately established as the true boundary between said States, and north of the line run by Georgia, known as the Watson line, being all the lands lying between said lines, be, and the same are hereby, confirmed, so far as the United States has title thereto, in the present owners deriving titles from the State of Georgia. (a)

Titles to certain lands in Georgia and Florida, so far as derived from the United States, confirmed.

(a) See Nos. 957, 961, 967, 1268, 1624, 1629, 1630, 1631, 1633, 1634, 1636, 1640, 1641, 1642, 1647, 1677, 1699, 1700, 1701, 1710.

No. 1705.—AN ACT supplementary to an act entitled "An act to aid in the construction of telegraph lines, and to secure to the Government the use of the same for postal, military, and other purposes," approved July twenty-fourth, eighteen hundred and sixty-six.

June 4, 1872.
Vol. 17, p. 219.

Be it enacted, &c., That the International Ocean Telegraph Company shall have the right to pre-empt and use public lands at the following stations in Florida on the line of telegraph belonging to said Telegraph Company, to wit: at the two ends of the cables on Sinabel Island, the station at Punta Rasa, near the mouth of the Caloosahatchie River, the station at Fort Myers, the points where the line of telegraph crosses the Caloosahatchie River, the station at Pine Island, and the stations at Branch River, Bartow, and Tuckertown, each forty acres; such lands being public lands, and now actually used by the International Ocean Telegraph Company of the State of New York: *Provided,* That whenever any one of the smallest legal subdivisions at any one of the stations designated is less than forty acres, by reason of the land lying adjacent to the Gulf of Mexico, or any bay or river, the said company shall pre-empt only such smallest fractional subdivision upon which the buildings and offices of the company are located.

International Ocean Telegraph Company may pre-empt, &c, certain public lands in Florida. Only the smallest fractional subdivision.

June 4, 1872. Vol. 17, p. 224. **No. 1706.**—AN ACT granting the right of way through the public lands for the construction of a railroad and telegraph in Florida.

Right of way through public lands in Florida, granted to the Great Southern Railway Company for railroad and telegraph. *Be it enacted, &c.,* That the right of way through the public lands be, and the same is hereby, granted to the Great Southern Railway Company, a corporation created under the laws of the State of Florida, its successors and assigns, for the construction of a railroad and telegraph from the Saint Mary's River, in the State of Florida, to Key West, in said State, together with a branch road from the most eligible point on said road to Tampa Bay and Caloosa Entrance, in said State; and the right, power, and authority are hereby given to said corporation to take, from the public lands adjacent to the line of said road, materials for the

Extent of grant. construction thereof. Said way is granted to said railroad to the extent of one hundred feet in width on each side of the central line of said road where it may pass through the public domain, including grounds for station-buildings, workshops, depots, machine-shops, switches, side-tracks, turn-tables, and water-stations, to an amount not exceeding twenty acres, for each ten miles in length of the main line of said rail-

Acceptance of this act, and map of route to be filed within, &c. *Provided,* That within one year from the passage of this act the said company shall file with the Secretary of the Interior its acceptance of the terms of this act, and a map of the route, exhibiting the line of the road and its branch, as the same has been located, and shall complete said road within ten years of the passage of this act. It shall be the duty of the said company to permit any other railroad which has

Road to be completed in ten years. been or shall be authorized by the United States, or by the State of Florida, to form running connections with its road on fair and equitable terms. In case of disagreement, such terms shall be fixed by the Secretary of the Interior.

Other roads may form running connections. **SEC. 2.** That said road shall be a post-route and a military road; and Congress at any time, having due regard for the rights of said company, may fix rates of tariff for transportation of troops, materials of war, and mails, and may add to, alter, or amend this act.

Road to be a post-route and military road. Rates. **SEC. 3.** That Congress reserves it to itself the right to alter, amend, or repeal this act whenever in its judgment the interests of the people may require it. (a)

Act may be altered.

(a) See Nos. 1621, 1654, 1658, 1659, 1682, 1690, 1691, 1703, 1707, 1709, 1712.

June 7, 1872. Vol. 17, p. 280. **No. 1707.**—AN ACT granting the right of way through the public lands to the Jacksonville and Saint Augustine Railroad Company.

Right of way through public lands granted to Jacksonville and Saint Augustine Railroad Company. *Be it enacted, &c.,* That there is hereby granted to the Jacksonville and Saint Augustine Railroad Company, the same being a corporation existing under the laws of the State of Florida, the right of way through the public lands of the United States between Jacksonville and Saint Augustine, for one hundred feet in width on each side of the track of said railroad and of any of its branches, with the right to take from said

Extent of grant. lands, or from any of the public lands adjacent thereto, stone, timber, earth, or other material, to be used in the construction and repair of said

Land for depots, side-tracks, &c. railroad; and said company shall also have the right to enter upon any of the public lands or lots of land, the property of the United States, and take the same for depots, shops, side-tracks, or other necessary uses

Limit. of said railroad: *Provided,* That no lot or tract of land so taken shall exceed forty acres in any one place. No military reservation shall be crossed or appropriated unless the consent of the Secretary of War be first obtained, and then only under such restrictions as he shall establish.

Road to be postal and military road. Said road shall be a postal and military road, and Congress shall have the right to alter, amend, or repeal this act as shall in its discretion be deemed best. (a)

(a) See Nos. 1621, 1654, 1658, 1659, 1682, 1690, 1691, 1703, 1706, 1709, 1712.

June 8, 1872. Vol. 17, p. 335. **No. 1708.**—AN ACT to create an additional land district in Florida.

East Florida land district established. *Be it enacted, &c.,* That that portion of Florida lying east of the line between ranges fourteen and fifteen east shall constitute an additional land district, and shall be known as the East Florida district, the office for which shall be located at Jayneville.

SEC. 2. That there shall be appointed a register and a receiver for said land district, and who shall be entitled to the same compensation as is, or may hereafter be, prescribed by law for like officers of the other district in said State. (a)

(a) See Nos. 1630, 1632, 1667, 1688, 1689.

No. 1709.—AN ACT granting the right of way through the public lands to the Pensacola and Louisville Railroad Company of Alabama.

June 8, 1872.
Vol. 17, p. 340.

[See ALABAMA, No. 1621.]

No. 1710.—AN ACT to extend the provisions of an act entitled "An act for the final adjustment of private land claims in the States of Florida, Louisiana and Missouri, and for other purposes."

June 10, 1872.
Vol. 17, p. 378

[See LOUISIANA, No. 967.]

No. 1711.—AN ACT to confirm to William Marvin the title to seven thousand acres of land in the State of Florida.

March 3, 1873.
Vol. 17, p. 771.

Preamble.

Whereas, under the act of Congress, approved June twenty-second, eighteen hundred and sixty, entitled "An act for the final adjustment of private land claims, in the States of Florida, Louisiana, and Missouri, and for other purposes," and extended by an act of Congress, approved March second, eighteen hundred and sixty-seven entitled "An act to extend the provisions of an act entitled 'An act for the final adjustment of private land claims in the States of Florida, Louisiana, and Missouri, and for other purposes,'" the register and the receiver at the land office at Tallahassee, Florida, acting as commissioners under the acts aforesaid have reported to the Commissioner of the General Land Office that there ought to be confirmed to William Marvin, who holds under Bernardo Segui, under class two, under the third section of the act first aforesaid, a tract of land containing seven thousand acres, in the State of Florida, on the east side of the Saint John's River, between the place called Dunn's Lake and that known as Horse Landing, including in said tract of land the place called Buffalo Bluff, and includes parts of sections twenty-eight, thirty-three, thirty-four, thirty-five, thirty-six, and thirty-nine, in township ten south, of range twenty-six east; and sections and parts of sections one, two, three, eleven, twelve, and thirty-nine, in township eleven south, of range twenty-six east; and parts of sections five, six, seven, eight, and forty, in township eleven south, of range twenty-seven east; which claim is based upon a grant or concession by the Spanish Government to Bernardo Segui, before the twenty-fourth of January, eighteen hundred and eighteen; and whereas the Commissioner of the General Land Office has approved the report of the said commissioners, and has reported the same to Congress for its action, and recommended the confirmation of the title to the said seven thousand acres of land to the said William Marvin, as the legal representative of Bernardo Segui: Therefore,

Description.

Be it enacted, &c., That the said seven thousand acres of land in the State of Florida, on the Saint John's River, and as further described above, be, and the same are hereby, confirmed to the said William Marvin; and that all the right, title, and interest of the United States in and to the same be, and the same are hereby, granted and confirmed unto the said William Marvin: *Provided, however*, That this act shall not affect any adverse right or title to the said lands or any part thereof, and shall not create any liability on the part of the United States.

Seventhousand
acres of land in
Florida con-
firmed to William
Marvin.

Proviso.

No. 1712.—AN ACT granting the right of way through the public lands to construct and maintain a railroad.

March 3, 1875.
Vol. 18, p. 509.

Be it enacted, &c., That the right of way through the public lands is hereby granted to Daniel P. Holland, the proprietor of the Jacksonville, Pensacola and Mobile Railroad, his associates, successors and assigns, for the construction of a railroad in the States of Florida and Alabama from the present terminus of said railroad on the Apalachicola River, in the State of Florida, through the States of Florida and Alabama, to the city of Mobile, Alabama; and from a point on the line of said railroad to the city of Pensacola; and from a point opposite the corporate

Right of way
granted to Daniel
P. Holland for
Jacksonville,
Pensacola and
Mobile Railroad.

limits of the city of Jacksonville, on the Saint John's River, to the city of Saint Augustine, Florida; and the right, power, and authority are hereby granted to said Daniel P. Holland, his successors, assigns, or associates to take from the public lands adjacent to the line of said railway, to the extent of one hundred feet in width on each side of the central line of said road where it may pass through the public lands, material for the construction and maintenance thereof; and the necessary grounds for stations and depots, or other necessary places, such as turn-outs and water-stations, are hereby granted to said Daniel P. Holland, his successors or assigns, to an amount not exceeding twenty acres for each ten miles in length of main line of railroad where it may pass through the public lands: <i>Provided</i> , That within one year from the passage of this act the said Daniel P. Holland, proprietor of the Jacksonville, Pensacola and Mobile Railroad, his successors, assigns, or associates shall file with the Secretary of the Interior his acceptance of this act and the map of the routes exhibiting the line of the road and the right to take material shall cease upon the completion of the said road.	
Right to materials. Grounds for stations, &c.	
Acceptance and map of route; when to be filed. Right to materials; when to cease.	
Said road to be a post-route and military road; tariff of rates.	SEC. 2. That said railroad shall be a post-route and a military road, and Congress at any time may fix rates of tariff for troops, materials of war, and mails, and may add to, alter, or amend this act.
Repeals.	SEC. 3. That all acts and parts of acts conflicting with this act be, and they are hereby, repealed.
Time allowed for completion.	SEC. 4. That if the said road shall not be completed and put in operation within five years after the passage of this act all rights herein granted shall cease and determine. (a)

(a) See Nos. 1621, 1654, 1658, 1659, 1682, 1690, 1691, 1703, 1706, 1707, 1709.

March 3, 1879. Vol. 20, p. 470.	No. 1713. —AN ACT to authorize the Secretary of the Navy to transfer to the Secretary of the Interior, for entry and sale, all lands in the State of Florida not needed for naval purposes.
Reserved lands in Florida.	<i>Be it enacted, &c.</i> , That the Secretary of the Navy be, and he is hereby, authorized to cause an examination to be made of the condition of all lands in the State of Florida which have been set apart or reserved for naval purposes, excepting the reservation upon which the navy-yard at Pensacola is located, and to ascertain whether or not such reserved lands are or will be of any value to the Government of the United States for naval purposes.
Restored to entry and sale.	SEC. 2. That all of said lands which, in the judgment of the Secretary of the Navy, are no longer required for naval purposes shall, as soon as practicable, be certified by him to the Secretary of the Interior, and be subject to entry and sale in the same manner and under the same conditions as other public lands of the United States: <i>Provided</i> , That all persons who have, in good faith, made improvements on said reserved lands so certified at the time of the passage of this act, and who occupy the same, shall be entitled to purchase the part or parts so occupied and improved by them, not to exceed one hundred and sixty acres to any one person at one dollar and twenty-five cents per acre within such reasonable time as may be fixed by the Secretary of the Interior.
Proviso.	
Appropriation.	SEC. 3. That the sum of three thousand dollars, or so much thereof as may be necessary, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to enable the Secretary of the Navy to carry out the provisions of this act. (a)
	(a) See Nos. 1630, 1635, 1651, 1652, 1667, 1670, 1672, 1684, 1691, 1692, 1695, 1714.

June 9, 1880. Vol. 21, p. 171.	No. 1714. —AN ACT to confirm certain entries and warrant locations in the former Palatka military reservation in Florida.
Homestead entries in limits of Palatka military reservation and in conflict with swamp land selections confirmed.	<i>Be it enacted, &c.</i> , That in all cases in which lands lying within the limits of the former Palatka military reservation in Florida have been entered by settlers under the homestead laws, and their entries are found to conflict with selections by the State of Florida under the grant of swamp lands by act of Congress of September twenty-eighth, eighteen hundred and fifty, which are confirmed by the act of March third, eighteen hundred and fifty-seven, and in which said settlers have in good faith complied with the requirements of the homestead laws, their entries be, and the same are hereby, confirmed, on the State filing with the

Commissioner of the General Land Office its relinquishment of all claim thereto; and the State shall thereupon be entitled to select in lieu thereof an equal quantity of land from any of the vacant and unappropriated public lands of the United States in Florida, and patents shall be issued to the State for the lands so selected in lieu of the tracts taken by the settlers. State to select indemnity.

SEC. 2. That in all cases in which lands lying within said reservation have been entered at private entry or located by military land-warrants, and which conflict with said selections, the same are also hereby confirmed on the State relinquishing all claim thereto, and the State shall thereupon be entitled to indemnity in the same manner as indicated in the first section of this act. (a) Private entries confirmed, and State to select indemnity.

(a) See Nos. 1630, 1635, 1651, 1652, 1667, 1670, 1672, 1684, 1691, 1692, 1695, 1712.

INDIAN TERRITORY.

July 8, 1817.
Proclamation,
Dec. 26, 1817.
Vol. 7, p. 156.

No. 1715.—ARTICLES of a treaty concluded, at the Cherokee agency, within the Cherokee nation, between Major-General Andrew Jackson, Joseph M'Minn, governor of the State of Tennessee, and General David Meriwether, commissioners plenipotentiary of the United States of America, of the one part, and the chiefs, head men, and warriors, of the Cherokee nation, east of the Mississippi River, and the chiefs, head men, and warriors, of the Cherokees on the Arkansas River, and their deputies, John D. Chisholm and James Rogers, duly authorized by the chiefs of the Cherokees on the Arkansas River, in open council, by written power of attorney, duly signed and executed, in presence of Joseph Sevier and William Ware.

Cession of
lands to United
States in ex-
change for other
lands.

ARTICLE 1. The chiefs, head men, and warriors, of the whole Cherokee nation, cede to the United States all the lands lying north and east of the following boundaries, viz: Beginning at the high shoals of the Appalachy River, and running thence, along the boundary line between the Creek and Cherokee nations, westwardly to the Chatahouchy River; thence, up the Chatahouchy River, to the mouth of Souque Creek; thence, continuing with the general course of the river until it reaches the Indian boundary line, and, should it strike the Turrurar River, thence, with its meanders, down said river to its mouth, in part of the proportion of land in the Cherokee nation east of the Mississippi, to which those now on the Arkansas and those about to remove there are justly entitled.

Further ces-
sion of lands.

ART. 2. The chiefs, head men, and warriors, of the whole Cherokee nation, do also cede to the United States all the lands lying north and west of the following boundary lines, viz: Beginning at the Indian boundary line that runs from the north bank of the Tennessee River, opposite to the mouth of Hywassee River, at a point on the top of Walden's Ridge, where it divides the waters of the Tennessee River from those of the Sequatchie River; thence, along the said ridge, southwardly, to the bank of the Tennessee River, at a point near to a place called the Negro Sugar Camp, opposite to the upper end of the first island above Running Water Town; thence, westwardly, a straight line to the mouth of Little Sequatchie River; thence, up said river, to its main fork; thence, up its northernmost fork, to its source; and thence, due west, to the Indian boundary line.

The United
States to give as
much land, &c.,
as they receive
from the Chero-
kees.

ART. 5. The United States bind themselves, in exchange for the lands ceded in the first and second articles hereof, to give to that part of the Cherokee nation on the Arkansas as much land on said river and White River as they have or may hereafter receive from the Cherokee nation east of the Mississippi, acre for acre, as the just proportion due that part of the nation on the Arkansas agreeably to their numbers; which is to commence on the north side of the Arkansas River, at the mouth of Point Remove or Budwell's Old Place; thence, by a straight line, northwardly, to strike Chataunga Mountain, or the hill first above Shield's Ferry on White River, running up and between said rivers for complement, the banks of which rivers to be the lines; and to have the above line, from the point of beginning to the point on White River, run and marked, which shall be done soon after the ratification of this treaty; and all citizens of the United States, except Mrs. P. Lovely, who is to remain where she lives during life, removed from within the bounds as above named. And it is further stipulated, that the treaties heretofore between the Cherokee nation and the United States are to continue in full force with both parts of the nation, and both parts thereof entitled to all the immunities and privilege which the old nation enjoyed under the aforesaid treaties; the United States reserving the right of establishing factories, a military post, and roads, within the boundaries above defined.

Former treaties
in force.

ART. 8. And to each and every head of any Indian family residing on the east side of the Mississippi River, on the lands that are now, or may hereafter be, surrendered to the United States, who may wish to become citizens of the United States, the United States do agree to give a reservation of six hundred and forty acres of land, in a square, to include their improvements, which are to be as near the centre thereof as practicable, in which they will have a life estate, with a reversion in fee-simple to their children, reserving to the widow her dower, the register of whose names is to be filed in the office of the Cherokee agent, which shall be kept open until the census is taken as stipulated in the third article of this treaty. Provided, That if any of the heads of families, for whom reservations may be made, should remove therefrom, then, in that case, the right to revert to the United States. And provided further, That the land which may be reserved under this article, be deducted from the amount which has been ceded under the first and second articles of this treaty. (a)

Reservations for heads of Indian families.

(a) See Nos. 1718, 1724, 1728, 1737, 1750.

No. 1716.—A TREATY of friendship, limits, and accommodation, between the United States of America and the Choctaw nation of Indians, begun and concluded at the treaty ground, in said nation, near Doak's Stand, on the Natchez road.

Oct. 18, 1820.
Proclamation,
Jan. 8, 1821.
Vol. 7, p. 210.

Whereas it is an important object with the President of the United States, to promote the civilization of the Choctaw Indians, by the establishment of schools amongst them; and to perpetuate them as a nation, by exchanging, for a small part of their land here, a country beyond the Mississippi River, where all, who live by hunting and will not work, may be collected and settled together.—And whereas it is desirable to the State of Mississippi, to obtain a small part of the land belonging to said nation; for the mutual accommodation of the parties, and for securing the happiness and protection of the whole Choctaw nation, as well as preserving that harmony and friendship which so happily subsists between them and the United States, James Monroe, President of the United States of America, by Andrew Jackson, of the State of Tennessee, Major-General in the Army of the United States, and General Thomas Hinds, of the State of Mississippi, commissioners plenipotentiary of the United States, on the one part, and the Mingoes, head men, and warriors, of the Choctaw nation, in full council assembled, on the other part, have freely and voluntarily entered into the following articles, viz:

Objects of the treaty.

ART. 1. To enable the President of the United States to carry into effect the above grand and humane objects, the Mingoes, head men, and warriors, of the Choctaw nation, in full council assembled, in behalf of themselves and the said nation, do, by these presents cede to the United States of America, all the land lying and being within the boundaries following, to wit:—Beginning on the Choctaw boundary, east of Pearl River, at a point due south of the White Oak spring, on the old Indian path; thence north to said spring; thence northwardly to a black oak, standing on the Natchez road, about forty poles eastwardly from Doake's fence, marked A. J. and blazed, with two large pines and a black oak standing near thereto, and marked as pointers; thence a straight line to the head of Black Creek, or Bouge Loosa; thence down Black Creek or Bouge Loosa to a small lake; thence a direct course, so as to strike the Mississippi one mile below the mouth of the Arkansas River; thence down the Mississippi to our boundary; thence around and along the same to the beginning.

Cession of lands by the Choctaws.

Bounds of the cession.

ART. 2. For and in consideration of the foregoing cession, on the part of the Choctaw nation, and in part satisfaction for the same, the commissioners of the United States, in behalf of said States, do hereby cede to said nation, a tract of country west of the Mississippi River, situate between the Arkansas and Red River, and bounded as follows:—Beginning on the Arkansas River, where the lower boundary line of the Cherokees strikes the same; thence up the Arkansas to the Canadian Fork, and up the same to its source; thence due south to the Red River; thence down Red River, three miles below the mouth of Little River, which empties itself into Red River on the north side; thence a direct line to the beginning. (a)

United States cede a tract of country west of the Mississippi.

Boundaries.

(a) See Nos. 1717, 1729, 1730, 1733.

Jan. 20, 1825.
Proclamation,
Feb. 19, 1825.
Vol. 7, p. 234.

No. 1717.—ARTICLES of a convention made between John C. Calhoun, Secretary of War, being specially authorized therefor by the President of the United States, and the undersigned chiefs and head men of the Choctaw nation of Indians, duly authorized and empowered by said nation, at the city of Washington, on the twentieth day of January, in the year of our Lord one thousand eight hundred and twenty-five.

Preamble.

Whereas a treaty of friendship, and limits, and accommodation, having been entered into at Doake's Stand, on the eighteenth of October, in the year one thousand eight hundred and twenty, between Andrew Jackson and Thomas Hinds, commissioners on the part of the United States, and the chiefs and warriors of the Choctaw nation of Indians; and whereas the second article of the treaty aforesaid provides for a cession of lands, west of the Mississippi, to the Choctaw nation, in part satisfaction for lands ceded by said nation to the United States, according to the first article of said treaty: And whereas, it being ascertained that the cession aforesaid embraces a large number of settlers, citizens of the United States; and it being the desire of the President of the United States to obviate all difficulties resulting therefrom, and also, to adjust other matters in which both the United States and the Choctaw nation are interested: The following articles have been agreed upon, and concluded, between John C. Calhoun, Secretary of War, specially authorized therefor by the President of the United States, on the one part, and the undersigned delegates of the Choctaw nation, on the other part:

Lands ceded to
the United
States.

ARTICLE 1. The Choctaw nation do hereby cede to the United States all that portion of the land ceded to them by the second article of the treaty of Doak Stand, as aforesaid, lying east of a line beginning on the Arkansas, one hundred paces east of Fort Smith, and running thence, due south, to Red River: it being understood that this line shall constitute, and remain, the permanent boundary between the United States and the Choctaws; and the United States agreeing to remove such citizens as may be settled on the west side, to the east side of said line, and prevent future settlements from being made on the west thereof. (a)

(a) See Nos. 1716, 1729, 1730, 1733.

May 6, 1828.
Proclamation,
May 23, 1828.
Vol. 7, p. 311.

No. 1718.—ARTICLES of a convention, concluded at the city of Washington this sixth day of May, in the year of our Lord one thousand eight hundred and twenty-eight, between James Barbour, Secretary of War, being especially authorized therefor by the President of the United States, and the undersigned, chiefs and head men of the Cherokee nation of Indians, west of the Mississippi, they being duly authorized and empowered by their nation.

**Object of the
treaty.**

Whereas, it being the anxious desire of the Government of the United States to secure to the Cherokee nation of Indians, as well those now living within the limits of the Territory of Arkansas, as those of their friends and brothers who reside in States east of the Mississippi, and who may wish to join their brothers of the west, a permanent home, and which shall, under the most solemn guarantee of the United States, be, and remain, theirs forever—a home that shall never, in all future time, be embarrassed by having extended around it the lines, or placed over it the jurisdiction of a Territory or State, nor be pressed upon by the extension, in any way, of any of the limits of any existing Territory or State; and, whereas, the present location of the Cherokees in Arkansas being unfavourable to their present repose, and tending, as the past demonstrates, to their future degradation and misery; and the Cherokees being anxious to avoid such consequences, and yet not questioning their right to their lands in Arkansas, as secured to them by treaty, and resting also upon the pledges given them by the President of the United States, and the Secretary of War, of March, 1818, and 8th October, 1821, in regard to the outlet to the West, and as may be seen on referring to the records of the War Department, still being anxious to secure a permanent home, and to free themselves, and their posterity, from an embarrassing connexion with the Territory of Arkansas, and guard themselves from such connexions in future; and, whereas, it being important, not to the Cherokees only, but also to the Choctaws, and in regard also to the question which may be agitated in the future respecting the location of the latter, as well as the former, within the limits of the Territory or State of Arkansas, as the case may be, and their removal therefrom; and to avoid the cost which may at-

tend negotiations to rid the Territory or State of Arkansas whenever it may become a State, of either, or both of those tribes, the parties hereto do hereby conclude the following articles, viz:

ARTICLE 1. The western boundary of Arkansas shall be, and the same is, hereby defined, viz: A line shall be run, commencing on Red River, at the point where the Eastern Choctaw line strikes said river, and run due north with said line to the river Arkansas, thence in a direct line to the southwest corner of Missouri. Western boundary of Arkansas defined.

ART. 2. The United States agree to possess the Cherokees, and to guarantee it to them forever, and that guarantee is hereby solemnly pledged, of seven millions of acres of land, to be bounded as follows, viz: Commencing at that point on Arkansas River where the eastern Choctaw boundary line strikes said river, and running thence with the western line of Arkansas, as defined in the foregoing article, to the southwest corner of Missouri, and thence with the western boundary line of Missouri till it crosses the waters of Neasho, generally called Grand River, thence due west to a point from which a due south course will strike the present northwest corner of Arkansas Territory, thence continuing due south, on and with the present western boundary line of the Territory to the main branch of Arkansas River, thence down said river to its junction with the Canadian River, and thence up and between the said rivers Arkansas and Canadian, to a point at which a line running north and south from river to river, will give the aforesaid seven millions of acres. In addition to the seven millions of acres thus provided for, and bounded, the United States further guarantee to the Cherokee nation a perpetual outlet, west, and a free and unmolested use of all the country lying west of the western boundary of the above-described limits, and as far west as the sovereignty of the United States, and their right of soil extend. Territory guaranteed to Cherokees by United States.

ART. 3. The United States agree to have the lines of the above cession run without delay, say not later than the first of October next, and to remove, immediately after the running of the eastern line from the Arkansas River to the southwest corner of Missouri, all white persons from the west to the east of said line, and also all others, should there be any there, who may be unacceptable to the Cherokees, so that no obstacles arising out of the presence of a white population, or a population of any other sort, shall exist to annoy the Cherokees; and also to keep all such from the west of said line in future. Lines to be run without delay and white persons removed from the cession.

ART. 7. The chiefs and head men of the Cherokee nation, aforesaid, for and in consideration of the foregoing stipulations and provisions, do hereby agree, in the name and behalf of their nation, to give up, and they do hereby surrender, to the United States, and agree to leave the same within fourteen months, as herein before stipulated, all the lands to which they are entitled in Arkansas, and which were secured to them by the treaty of 8th January, 1817, and the convention of the 27th February, 1819. Cherokees to surrender lands in Arkansas within fourteen months.

ART. 9. It is understood and agreed by the parties to this convention, that a tract of land, two miles wide and six miles long, shall be, and the same is hereby, reserved for the use and benefit of the United States, for the accommodation of the military force which is now, or which may hereafter be, stationed at Fort Gibson, on the Neasho, or Grand River, to commence on said river half a mile below the aforesaid fort, and to run thence due east two miles, thence northwardly six miles, to a point which shall be two miles distant from the river aforesaid, thence due west to the said river, and down it to the place of beginning. And the Cherokees agree that the United States shall have and possess the right of establishing a road through their country for the purpose of having a free and unmolested way to and from said fort. (a) A certain tract of land to be reserved for the benefit of the United States.

[NOTE.—This treaty was ratified with the following proviso, expressed in the resolution of the Senate: "Provided, nevertheless, that the said convention shall not be so construed as to extend the northern boundary of the 'perpetual outlet west,' provided for and guaranteed in the second article of said convention, north of the thirty-sixth degree of north latitude, or so as to interfere with the lands assigned, or to be assigned, west of the Mississippi River, to the Creek Indians who have emigrated, or may emigrate, from the States of Georgia and Alabama, under the provisions of any treaty or treaties heretofore concluded between the United States and the Creek tribe of Indians; and provided

further, that nothing in the said convention shall be construed to cede or assign to the Cherokees any lands heretofore ceded or assigned to any tribe or tribes of Indians, by any treaty now existing and in force, with any such tribe or tribes."]

(a) See Nos. 1715, 1724, 1728, 1737, 1750.

May 28, 1830.
Vol. 4, p. 411.

No. 1718a.—AN ACT to provide for an exchange of lands with the Indians residing in any of the States or Territories, and for their removal west of the river Mississippi.

Districts to be
laid off.

Be it enacted, &c., That it shall and may be lawful for the President of the United States to cause so much of any territory belonging to the United States, west of the river Mississippi, not included in any State or organized Territory, and to which the Indian title has been extinguished, as he may judge necessary, to be divided into a suitable number of districts, for the reception of such tribes or nations of Indians as may choose to exchange the lands where they now reside, and remove there; and to cause each of said districts to be so described by natural or artificial marks, as to be easily distinguished from every other.

President to
exchange, &c.

SEC. 2. *And be it further enacted,* That it shall and may be lawful for the President to exchange any or all of such districts, so to be laid off and described, with any tribe or nation of Indians now residing within the limits of any of the States or Territories, and with which the United States have existing treaties, for the whole or any part or portion of the territory claimed and occupied by such tribe or nation, within the bounds of any one or more of the States or Territories, where the land claimed and occupied by the Indians, is owned by the United States, or the United States are bound to the State within which it lies to extinguish the Indian claim thereto. (a)

Title secured
to Indians.

SEC. 3. *And be it further enacted,* That in the making of any such exchange or exchanges, in shall and may be lawful for the President solemnly to assure the tribe or nation with which the exchange is made, that the United States will forever secure and guaranty to them, and their heirs or successors, the country so exchanged with them; and if they prefer it, that the United States will cause a patent or grant to be made and executed to them for the same: *Provided always,* That such lands shall revert to the United States, if the Indians become extinct, or abandon the same.

Proviso.

Improvements
to be appraised
and paid for.

SEC. 4. *And be it further enacted,* That if, upon any of the lands now occupied by the Indians, and to be exchanged for, there should be such improvements as add value to the land claimed by any individual or individuals of such tribes or nations, it shall and may be lawful for the President to cause such value to be ascertained by appraisement or otherwise, and to cause such ascertained value to be paid to the person or persons rightfully claiming such improvements. And upon the payment of such valuation, the improvements so valued and paid for, shall pass to the United States, and possession shall not afterwards be permitted to any of the same tribe.

Aid in moving,
&c.

SEC. 5. *And be it further enacted,* That upon the making of any such exchange as is contemplated by this act, it shall and may be lawful for the President to cause such aid and assistance to be furnished to the emigrants as may be necessary and proper to enable them to remove to, and settle in, the country for which they may have exchanged; and also, to give them such aid and assistance as may be necessary for their support and subsistence for the first year after their removal.

Protection.

SEC. 6. *And be it further enacted,* That it shall and may be lawful for the President to cause such tribe or nation to be protected, at their new residence, against all interruption or disturbance from any other tribe or nation of Indians, or from any other person or persons whatever.

President to
have superin-
tendence over
tribes removing,
&c.

SEC. 7. *And be it further enacted,* That it shall and may be lawful for the President to have the same superintendence and care over any tribe or nation in the country to which they may remove, as contemplated by this act, that he is now authorized to have over them at their present places of residence: *Provided,* That nothing in this act contained shall be construed as authorizing or directing the violation of any existing treaty between the United States and any of the Indian tribes.

\$500,000 appro-
priated.

SEC. 8. *And be it further enacted,* That for the purpose of giving effect to the provisions of this act, the sum of five hundred thousand dollars is hereby appropriated, to be paid out of any money in the Treasury, not otherwise appropriated.

(a) See No. 1729a.

No. 1719.—ARTICLES of agreement and convention, made and concluded at the city of Washington, on the twenty-eighth day of February, in the year of our Lord, one thousand eight hundred and thirty-one, by and between James B. Gardiner, specially appointed commissioner on the part of the United States, of the one part, and the undersigned, principal chiefs and warriors of the Seneca tribe of Indians, residing on the Sandusky River in the State of Ohio, on the part of said tribe, of the other part; for the cession of the lands now owned and occupied by the said tribe of Indians, lying on the waters of the Sandusky River, and situate within the territorial limits of the organized counties of Seneca and Sandusky, in said State of Ohio.

Feb. 28, 1831.
Proclamation,
March 24, 1831.
Vol. 7, p. 348.

Whereas the tribe of Seneca Indians, residing on Sandusky River, in the State of Ohio, have earnestly solicited the President of the United States to negotiate with them, for an exchange of the lands, now owned and occupied by them, for lands of the United States, west of the river Mississippi, and for the removal and permanent settlement of said tribe: Therefore, in order to carry into effect the aforesaid objects, the following articles have been agreed upon:

Preamble.

ARTICLE 1. The Seneca tribe of Indians, in consideration of the stipulations herein made on the part of the United States, do forever cede, release and quit-claim to the United States, the lands granted to them, by patent, in fee-simple, by the sixth section of the treaty, made at the foot of the rapids of the Miami River of Lake Erie, on the twenty-ninth day of September, in the year 1817, containing thirty thousand acres, and described as follows: "Beginning on the Sandusky River at the lower corner of the section granted to William Spicer; thence down the river on the east side, with the meanders thereof at high-water mark, to a point east of the mouth of Wolf Creek; thence, and from the beginning, east, so far that a north line will include the quantity of thirty thousand acres." And said tribe also cede, as aforesaid, one other tract of land, reserved for the use of the said Senecas, by the second article of the treaty, made at St. Mary's, in the State of Ohio, on the seventeenth day of September, in the year 1818, which tract is described in said treaty as follows: "Ten thousand acres of land, to be laid off on the east side of the Sandusky River, adjoining the south side of their reservation of thirty thousand acres, which begins on the Sandusky River, at the lower corner of William Spicer's section, and excluding therefrom the said William Spicer's section:" making in the whole of this cession, forty thousand acres.

Cession by the
Senecas.

ART. 2. In consideration of the cessions stipulated in the foregoing article; the United States agree to cause the said tribe of Senecas, consisting of about four hundred souls to be removed in a convenient and suitable manner, to the western side of the Mississippi River; and will grant them, by patent, in fee-simple, as long as they shall exist as a nation and remain on the same, a tract of land, situate on, and adjacent to the northern boundary of the lands heretofore granted to the Cherokee nation of Indians, and adjoining the boundary of the State of Missouri; which tract shall extend fifteen miles from east to west, and seven miles from north to south, containing about sixty-seven thousand acres, be the same more or less; for which the President of the United States shall cause letters-patents to be issued, in due form of law, agreeably to the act of the last session of Congress.

Removal of
Senecas.

Grant to them.

ART. 12. The lands granted by this agreement and convention to the Seneca tribe of Indians shall not be sold or ceded by them, except to the United States. (a)

Lands granted
not to be sold.

(a) See Nos. 1721, 1723, 1745.

No. 1720.—ARTICLES of a treaty made at the city of Washington between Lewis Cass, thereto specially authorized by the President of the United States, and the Creek tribe of Indians.

March 24, 1832.
Proclamation,
April 4, 1832.
Vol. 7, p. 366.

ARTICLE I. The Creek tribe of Indians cede to the United States all their land east of the Mississippi River.

Cession of
land by Creeks.

ART. XIV. The Creek country west of the Mississippi shall be solemnly guarantied to the Creek Indians, nor shall any State or Territory ever have a right to pass laws for the government of such Indians, but they shall be allowed to govern themselves, so far as may be compatible with the general jurisdiction which Congress may think proper to exercise over them. And the United States will also defend them from the unjust hostilities of other Indians, and will also, as soon as the

Guarantee of
country west of
the Mississippi.

Patent to be
executed.

boundaries of the Creek country west of the Mississippi are ascertained, cause a patent or grant to be executed to the Creek tribe, agreeably to the 3d section of the act of Congress of May 2d, [2d,] 1830, entitled "An act to provide for an exchange of lands with the Indians residing in any of the States or Territories, and for their removal west of the Mississippi." (a)

(a) See Nos. 1725, 1731, 1738, 1750, 1752.

July 20, 1831.
Proclamation,
April 6, 1832.
Vol. 7, p. 351.

No. 1721.—ARTICLES of agreement and convention, made and concluded at Lewistown, in the county of Logan, and State of Ohio, on the twentieth day of July, in the year of our Lord one thousand eight hundred and thirty-one, by and between James B. Gardiner, specially appointed commissioner on the part of the United States, and John McElvain, Indian agent for the Wyandots, Senecas and Shawnees, on the one part, and the undersigned principal chiefs and warriors of the mixed band of Senecas and Shawnee Indians residing at and around the said Lewistown, of the other part; for the cession of the lands now owned and occupied by said band, lying on the waters of the Great Miami River, and within the territorial limits of the organized county of Logan, in said State of Ohio.

Preamble.

Whereas the President of the United States, under the authority of the act of Congress, approved May 28th, 1830, has appointed a special commissioner to confer with the different Indian tribes residing within the constitutional limits of the State of Ohio, and to offer for their acceptance the provisions contained in the before-recited act. And whereas the mixed band or tribes of Seneca and Shawnee Indians residing at and around Lewistown in said State have expressed their perfect assent to the conditions of said act, and their willingness and anxiety to remove west of the Mississippi River, in order to obtain a more permanent and advantageous home for themselves and their posterity: Therefore, in order to carry into effect the aforesaid objects, the following articles have been agreed upon by the aforesaid contracting parties; which, when approved by the President and ratified by the Senate of the United States, shall be mutually binding upon the United States and the said Seneca and Shawnee Indians.

Cession of
land to United
States.

ARTICLE I. The Seneca and Shawnee Indians, residing at and around Lewistown in the State of Ohio, in consideration of the stipulations herein made on the part of the United States, do for ever cede, release and quit-claim to the United States, the lands granted to them by patent in fee-simple by the sixth article of the treaty made at the foot of the rapids of the Miami River of Lake Erie, on the twenty-ninth day of September, in the year 1817, containing forty-eight square miles, and described in said treaty as follows:—"Beginning at the intersection of the line run by Charles Roberts in the year one thousand eight hundred and twelve, from the source of the Little Miami River, to the source of the Scioto River, in pursuance of instructions from the commissioners appointed on the part of the United States, to establish the western boundary of the Virginia military reservation, with the Indian boundary line established by the treaty of Greenville in one thousand seven hundred and ninety-five from the crossings above Fort Lawrence to Laramie's store, and to run from such intersection, northerly, with the first-mentioned line, so as to include the quantity as nearly in a square form as practicable, after excluding the section of land granted to Nancy Stewart." And the said Senecas and Shawnees also cede to the United States, in manner aforesaid, one other tract of land, reserved for them by the second article of the treaty made at St. Mary's, in Ohio, on the seventeenth of September, in the year 1818, which tract is described in said treaty as follows:—"Eight thousand nine hundred and sixty acres, to be laid off adjoining the west line of the reserve of forty-eight square miles at Lewistown."

Removal of
Senecas and
Shawnees.

Grant of land.

ART. II. In consideration of the cessions stipulated in the foregoing article, the United States agree to cause the said band of Senecas and Shawnees, consisting of about three hundred souls, to be removed in a convenient and suitable manner to the western side of the Mississippi River, and will grant by patent, in fee-simple to them and their heirs forever, as long as they shall exist as a nation and remain on the same, a tract of land to contain sixty thousand acres, to be located under the direction of the President of the United States, contiguous to the lands granted to the Senecas of Sandusky by the treaty made with them at the city of Washington, on the 28th of February 1831, and the Cherokee settlements—the east line of said tract shall be within two miles of the west line of the lands granted to the Senecas of Sandusky, and the south

line shall be within two miles of the north line of the lands held by the Cherokees—and said two miles between the aforesaid lines, shall serve as a common passway between the before-mentioned tribes to prevent them from intruding upon the lands of each other.

ART. XI. The lands granted by this agreement and convention to the said band of Senecas and Shawnees, shall not be sold or ceded by them except to the United States. And the United States guarantee that said lands shall never be within the bounds of any State or Territory, nor subject to the laws thereof; and further that the President of the United States will cause said tribes to be protected at their new residence against all interruption or disturbance from any other tribe or nation of Indians, or from any other person or persons whatever; and he shall have the same care and superintendence over them in the country to which they design to remove, that he has heretofore had over them at their present place of residence. (a)

Lands granted,
not to be sold.
Guarantee by
United States.

(a) See Nos. 1719, 1722, 1723, 1745, 1749.

No. 1722.—ARTICLES of agreement and convention, made and concluded at Wapaghkonnetta, in the county of Allen and State of Ohio on the 8th day of August in the year of our Lord one thousand eight hundred and thirty-one, by and between James B. Gardiner specially appointed commissioner on the part of the United States and John McElvain, Indian agent for the Wyandots, Senecas and Shawnees residing in the State of Ohio, on the one part, and the undersigned, principal chiefs, headmen and warriors of the tribe of Shawnee Indians residing at Wapaghkonnetta and Hog Creek, within the territorial limits of the organized county of Allen, in the State of Ohio.

Aug. 8, 1831.
Proclamation,
April 6, 1832.
Vol. 7, p. 355.

Whereas the President of the United States under the authority of the act of Congress, approved May 28, 1830, has appointed a special commissioner to confer with the different Indian tribes residing within the constitutional limits of the State of Ohio, and to offer for their acceptance the provisions of the before-recited act:—And whereas the tribe or band of Shawnee Indians residing at Wapaghkonnetta and on Hog Creek in the said State, have expressed their perfect assent to the conditions of the said act, and their willingness and anxiety to remove west of the Mississippi River, in order to obtain a more permanent and advantageous home for themselves and their posterity. Therefore, in order to carry into effect the aforesaid objects, the following articles of convention have been agreed upon by the aforesaid contracting parties, which, when ratified by the President of the United States, by and with the advice and consent of the Senate thereof, shall be mutually binding upon the United States and the said Shawnee Indians.

Preamble.

ARTICLE I. The tribe or band of Shawnee Indians residing at Wapaghkonnetta and on Hog Creek in the State of Ohio, in consideration of the stipulations herein made, on the part of the United States, do for ever cede, release and quit-claim to the United States the lands granted to them by patent in fee-simple by the sixth section of the treaty made at the foot of the rapids of the Miami River of Lake Erie on the 29th day of September in the year of our Lord 1817, containing one hundred and twenty-five sections or square miles, and granted in two reservations and described in the said sixth section of the aforesaid treaty as follows:—"A tract of land ten miles square, the centre of which shall be the council house at Wapaghkonnetta;" and "a tract of land containing twenty-five square miles, which is to join the tract granted at Wapaghkonnetta, and to include the Shawnee settlement on Hog Creek, and to be laid off as nearly as possible in a square form," which said two tracts or reservations of land were granted as aforesaid to the said Shawnee Indians by the patents signed by the Commissioner of the General Land Office and certified by the Secretary of War dated the 20th day of April 1821. Also, one other tract of land, granted to the said Shawnees by the second article of the treaty made at St. Mary's in the State of Ohio, on the 17th day of September in the year 1818, and described therein as follows: "Twelve thousand eight hundred acres of land to be laid off adjoining the east line of their reserve of ten miles square at Wapaghkonnetta," making in the whole of the aforesaid cessions to the United States by the aforesaid Shawnees, one hundred and forty-five sections or square miles, which includes all the land now owned or claimed by the said band or tribe of Shawnees in the State of Ohio.

Cession of
lands to United
States.

Removal of
Shawnees.

Grant of land
west of the Mis-
sissippi.

ART. II. In consideration of the cessions stipulated in the foregoing article, the United States agree to cause the said tribe or band of Shawnees, consisting of about four hundred souls, to be removed in a convenient and suitable manner to the western side of the Mississippi River, and will grant by patent in fee-simple to them and their heirs for ever, as long as they shall exist as a nation and remain upon the same, a tract of land to contain one hundred thousand acres, to be located under the direction of the President of the United States, within the tract of land equal to fifty miles square, which was granted to the Shawnee Indians of the State of Missouri by the second article of a treaty made at the city of Saint Louis in said State, with the said Shawnees of Missouri by William Clark, superintendent of Indian affairs, on the 7th day of November in the year 1825; and in which it is provided that the grant aforesaid shall be for the Shawnee tribe of Indians within the State of Missouri, "and for those of the same nation now residing in Ohio, who may hereafter emigrate to the west of the Mississippi;" but if there should not be a sufficiency of good land unoccupied by the Shawnee Indians who have already settled on the tract granted as aforesaid by the said treaty of Saint Louis; then the tract of one hundred thousand acres, hereby granted to the said Shawnees of Ohio, parties to this compact, shall be located under the direction of the President of the United States on lands contiguous to the said Shawnees of Missouri, or on any other unappropriated lands within the district of country designed for the emigrating Indians of the United States.

* * * * *

Lands granted
not to be sold.
Guarantee.

ART. X. The lands granted by this agreement and convention to the said band or tribe of Shawnees, shall not be sold nor ceded by them, except to the United States. And the United States guarantee that said lands shall never be within the bounds of any State or Territory, nor subject to the laws thereof; and further, that the President of the United States will cause said tribe to be protected at their intended residence, against all interruption or disturbance from any other tribe or nation of Indians, or from any other person or persons whatever, and he shall have the same care and superintendence over them, in the country to which they are to remove, that he has heretofore had over them at their present place of residence. (a)

* * * * *

(a) See Nos. 1721, 1723, 1745, 1749.

Dec. 29, 1832.
Proclamation,
March 22, 1833.
Vol. 7, p. 411.

No. 1723.—ARTICLES of agreement, made and concluded at the Seneca agency, on the head-waters of the Cowskin River, this 29th day of December, in the year of our Lord one thousand eight hundred and thirty-two, by and between Henry L. Ellsworth and John F. Schermerhorn, commissioners, on behalf of the United States, and the chiefs and head-men of the "United Nation" of the Senecas and Shawnee Indians, on behalf of said tribe or nation.

Preamble.

Whereas certain articles of agreement and convention were concluded at Lewistown, Ohio, on the 20th day of July, A. D. 1831, by and between the United States and the chiefs and warriors of the mixed band of the Senecas and Shawnee Indians, residing at or near Lewistown, in the State of Ohio: And whereas, by the 2nd article of said agreement, the United States stipulated and agreed, with said tribe, in the words following, to wit: "to grant by patent, in fee-simple, to them, and their heirs forever, as long as they shall exist as a nation and remain on the same, a tract of land, to contain sixty thousand acres, to be located under the direction of the President of the United States, contiguous to the lands granted to the Senecas of Sandusky, by the treaty made with them at the city of Washington, on the 23th of February 1831, and the Cherokee settlements—the east line of said tract shall be within two miles of the west line of the lands granted to the Senecas of Sandusky; and the south line shall be within two miles of the north line of the lands held by the Cherokees—and said two miles between the aforesaid lines, shall serve as a common passway between the before-mentioned tribes, to prevent them from intruding upon the lands of each other." And the treaty aforesaid was ratified and confirmed by the President and Senate of the United States, on the 6th day of April, A. D. 1832. And whereas, the said mixed band of Senecas and Shawnees removed from their homes in Ohio to settle upon the lands assigned them west

of the Mississippi, in pursuance of the provisions and stipulations of the treaty aforesaid: And whereas, the said Senecas from Sandusky, and the mixed band of Senecas and Shawnees, have lately formed a confederacy, and have expressed their anxiety to unite as one tribe or nation, to be called the "United Nation of Senecas and Shawnees," to occupy their land as tenants in common—and have the whole of the country provided for them by the United States located on the east side of Ne-o-sho or Grand River, which runs through and now divides the same: For the purpose of affording a more convenient and satisfactory location to said United Nation, the parties aforesaid do, therefore, hereby stipulate and agree as follows:

ARTICLE I. The united tribe of Senecas and Shawnee Indians do hereby cede, relinquish and forever quit-claim to the United States, all the land granted to them on the west side of Ne-o-sho or Grand River, by treaties made respectively with the Senecas of Sandusky and the mixed band of Senecas and Shawnees of Lewistown, Ohio, on the 20th day of July, 1831, and on the 28th day of February, 1831. Cession to the United States.

ART. II. In consideration of said lands, described and ceded as aforesaid, the United States will grant, by letters-patent, to the tribe or nation of Indians aforesaid, in manner as hereinafter mentioned, the following tract of land lying on the east side of Ne-o-sho or Grand River, viz: bounded on the east by the west line of the State of Missouri; south by the present established line of the Cherokee Indians; west by Ne-o-sho or Grand River; and north by a line running parallel with said south line, and extending so far from the present north line of the Seneca Indians from Sandusky, as to contain sixty thousand acres, exclusive of the land now owned by said Seneca Indians, which said boundaries include, however, all the land heretofore granted said Senecas of Sandusky, on the east side of Grand River. And the United States will grant said tract of land, by two letters-patent; the north half, in quantity, to be granted to the mixed band of the Senecas and Shawnees of Ohio, and the south half to the Senecas from Sandusky, aforesaid: the whole to be occupied in common, so long as the said tribes or bands shall desire the same. The said patents shall be granted in fee-simple; but the lands shall not be sold or ceded without the consent of the United States. Grant to Indians.

ART. V. Nothing in these articles of agreement shall be construed to affect the respective rights of the Seneca tribe of Indians from Sandusky, and the Senecas and Shawnees from Lewistown, Ohio, as secured by existing treaties, except so far as said treaties are inconsistent with the provisions of the articles aforesaid. (a) Rights under existing treaties.

(a) See Nos. 1719, 1721, 1722, 1745, 1749.

No. 1724.—ARTICLES of agreement and convention made and concluded at Fort Gibson, on the Arkansas River, on the fourteenth day of February, one thousand eight hundred and thirty-three, by and between Montfort Stokes, Henry L. Ellsworth, and John F. Schermerhorn, duly appointed commissioners on the part of the United States, and the undersigned chiefs and head-men of the Cherokee nation of Indians west of the Mississippi, they being duly authorized and empowered by their nation.

Feb. 14, 1833.
Proclamation,
April 12, 1834.
Vol. 7, p. 414.

Whereas articles of convention were concluded at the city of Washington, on the sixth day of May, one thousand eight hundred and twenty-eight, between James Barbour, Secretary of War, being specially authorized therefor by the President of the United States, and the chiefs and head-men of the Cherokee nation of Indians west of the Mississippi, which articles of convention were duly ratified; and

Preamble.

Whereas it was agreed by the second article of said convention as follows: "That the United States agree to possess the Cheerokees, and to guarantee it to them forever, and that guarantee is solemnly pledged, of seven millions of acres of land, said land to be bounded as follows, viz: commencing at a point on Arkansas River, where the eastern Choctaw boundary line strikes said river, and running thence with the western line of Arkansas Territory to the southwest corner of Missouri, and thence with the western boundary line of Missouri till it crosses the waters of Neasho, generally called Grand River; thence due west, to a point from which a due south course will strike the present northwest corner of Arkansas Territory; thence continuing due south on and with the present boundary line on the west of said Territory, to the main

Preamble.

branch of Arkansas River; thence down said river to its junction with the Canadian, and thence up, and between said rivers Arkansas and Canadian, to a point at which a line running north and south from river to river, will give the aforesaid seven millions of acres, thus provided for and bounded. The United States further guarantee to the Cherokee nation a perpetual outlet west, and a free and unmolested use of all the country lying west of the western boundary of the above-described limits, and as far west as the sovereignty of the United States and their right of soil extend; and

Preamble.

Whereas there was to said articles of convention and agreement the following proviso, viz: *Provided, nevertheless*, That said convention shall not be so construed as to extend the northern boundary of said perpetual outlet west, provided for and guaranteed in the second article of said convention, north of the thirty-sixth degree of north latitude, or so as to interfere with the lands assigned, or to be assigned, west of the Mississippi River, to the Creek Indians who have emigrated, or may emigrate, from the States of Georgia and Alabama, under the provision of any treaty, or treaties, heretofore concluded, between the United States and the Creek tribe of Indians: *And provided further*, That nothing in said convention shall be construed to cede, or assign, to the Cherokees any lands heretofore ceded, or assigned, to any tribe, or tribes of Indians, by any treaty now existing and in force with any such tribe or tribes;” and

Preamble.

Whereas it appears from the Creek treaty, made with the United States by the Creek nation, dated twenty-fourth day of January, eighteen hundred and twenty-six, at the city of Washington, that they had the right to select, and did select, a part of the country described within the boundaries mentioned above in said Cherokee articles of agreement; and

Preamble.

Whereas both the Cherokee and Creek nations of Indians west of the Mississippi, anxious to have their boundaries settled in an amicable manner, have met each other in council, and, after full deliberation, mutually agreed upon the boundary lines between them:

Now, therefore, the United States on one part, and the chiefs and head-men of the Cherokee nation of Indians west of the Mississippi on the other part, agree as follows:

**Territory guaranteed to Cherokees.
Boundaries.**

ARTICLE 1. The United States agree to possess the Cherokees, and to guarantee it to them forever, and that guarantee is hereby pledged, of seven millions of acres of land, to be bounded as follows, viz: Beginning at a point on the old western Territorial line of Arkansas Territory, being twenty-five miles north from the point where the Territorial line crosses Arkansas River; thence running from said north point, south, on the said Territorial line, to the place where said Territorial line crosses the Verdigris River; thence down said Verdigris River to the Arkansas River; thence down said Arkansas to a point where a stone is placed opposite the east or lower bank of Grand River at its junction with the Arkansas; thence running south, forty-four degrees west, one mile; thence in a straight line to a point four miles northerly from the mouth of the North Fork of the Canadian; thence along the said four-miles line to the Canadian; thence down the Canadian to the Arkansas; thence down the Arkansas to that point on the Arkansas where the eastern Choctaw boundary strikes said river; and running thence with the western line of Arkansas Territory as now defined, to the southwest corner of Missouri; thence along the western Missouri line to the land assigned the Senecas; thence on the south line of the Senecas to Grand River; thence up said Grand River as far as the south line of the Osage reservation, extended if necessary; thence up and between said south Osage line, extended west if necessary; and a line drawn due west from the point of beginning, to a certain distance west, at which a line running north and south from said Osage line to said due west line will make seven millions of acres within the whole described boundaries. In addition to the seven millions of acres of land, thus provided for, and bounded, the United States further guarantee to the Cherokee nation a perpetual outlet west and a free and unmolested use of all the country lying west of the western boundary of said seven millions of acres as far west as the sovereignty of the United States and their right of soil extend: *Provided, however*, That if the saline, or salt plain, on the great western prairie, shall fall within said limits prescribed for said outlet, the right is reserved to the United States to permit other tribes

Salines.

of red men to get salt on said plain in common with the Cheerokes; and letters-patent shall be issued by the United States as soon as practicable for the land hereby guaranteed. Salines.

ART. 2. The Cheerokee nation hereby relinquish and quit-claim to the United States all the right, interest, and title which the Cherokes have or claim to have in and to all the land ceded, or claimed to have been ceded to said Cheerokee nation by said treaty of sixth of May, one thousand eight hundred and twenty-eight, and not embraced within the limits or boundaries fixed in this present supplementary treaty or articles of convention and agreement. Relinquish-ment of former cession.

ART. 5. These articles of agreement and convention are to be considered supplementary to the treaty before mentioned between the United States and the Cheerokee nation west of the Mississippi, dated sixth of May, one thousand eight hundred and twenty-eight, and not to vary the rights of the parties to said treaty, any further than said treaty is inconsistent with the provisions of this treaty, now concluded, or these articles of convention and agreement. Supplementary to treaty of May 6, 1828.

ART. 6. It is further agreed by the Cheerokee nation that one mile square shall be reserved and set apart from the lands hereby guaranteed for the accommodation of the Cheerokee agency; and the location of the same shall be designated by the Cheerokee nation, in conjunction with the agent of the Government of the United States. Reservation for agency.

ART. 7. This treaty, or articles of convention, after the same have been ratified by the President and Senate, shall be obligatory on the United States and said Cheerokee nation. (a)

(a) See Nos. 1715, 1718, 1728, 1737, 1750.

No. 1725.—ARTICLES of agreement and convention, made and concluded at Fort Gibson, between Montfort Stokes, Henry L. Ellsworth and John F. Schermerhorn, commissioners on the part of the United States, and the undersigned chiefs and head-men of the Muskogee or Creek nation of Indiana, this 14th day of February, A. D. 1833.

Feb. 14, 1833.
Proclamation,
April 12, 1834.
Vol. 7, p. 417.

Whereas, certain articles of a treaty were concluded at the city of Washington, on the 24th day of January one thousand eight hundred and twenty-six, by and between James Barbour, Secretary of War, on behalf of the United States, and the chiefs and head-men of the Creek nation of Indians; by which it is agreed that the said Indians shall remove to a country west of the Mississippi River: and whereas the sixth article of said treaty provides as follows:—"That a deputation of five persons shall be sent by them, (the Creek nation) at the expense of the United States, immediately after the ratification of the treaty, to examine the country west of the Mississippi, not within the limits of the States or Territories, and not possessed by the Choctaws or Cherokes. And the United States agree to purchase for them, if the same can conveniently be done upon reasonable terms, wherever they may select, a country, whose extent shall in the opinion of the President, be proportioned to their numbers. And if such purchase cannot be thus made, it is then agreed that the selection shall be made where the President may think proper, just reference being had to the wishes of the emigrating party." And whereas, the Creek Indians aforesaid, did send five persons as delegates, to explore the country pointed out to them by their treaty; which delegates selected a country west of the Territory of Arkansas, lying and being along and between the Verdigris, Arkansas, and Canadian rivers: and, to the country thus selected, a party of the Creek Indians emigrated the following year. And whereas certain articles of treaty or convention, were concluded at the city of Washington on the 6th day of May, A. D. one thousand eight hundred and twenty-eight, by and between James Barbour Secretary of War, on behalf of the United States, and certain chiefs and head-men of the Cherokee nation of Indians; by the second article of which convention, a country was assigned to the Cherokee Indians aforesaid, including within its boundaries some of the lands previously selected and claimed by the Creek Indians, under their treaty aforesaid. And whereas, the President and Senate of the United States, for the purpose of protecting the rights secured to the Creek Indians, by their treaty stipulations, and with a view to prevent collision and misunderstanding between the two nations, ratified and confirmed the Cherokee treaty, on the 28th day of May, 1828, with the following proviso: viz.—"Pro-

Preamble.

Difficulties subsequent to former treaty.

vided, nevertheless, That the said convention shall not be so construed as to extend the northern boundary of the perpetual outlet west, provided for and guaranteed in the second article of said convention, north of the 36th deg. of north latitude, or so as to interfere with the lands assigned, or to be assigned, west of the Mississippi River to the Creek Indians, who have emigrated or may emigrate from the States of Georgia and Alabama, under the provisions of any treaty or treaties heretofore concluded between the United States and the Creek tribe of Indians: And provided further, that nothing in the said convention shall be construed to cede or assign to the Cherokees any lands heretofore ceded or assigned to any tribe or tribes of Indians, by any treaty now existing and in force, with any such tribe or tribes." And whereas the said proviso and ratification of the Cherokee treaty, was accepted by the delegates of the nation, then at the city of Washington as satisfactory to them, as is shown in and by their certain instrument in writing, bearing date the 31st day of May 1828, appended to and published with their treaty aforesaid. But, afterwards, the Cherokees of Arkansas and many of those residing east of the Mississippi at the time that treaty was concluded, removed to the country described in the second article of their treaty and settled upon a certain portion of the land claimed by the Creek Indians under their treaty provisions and stipulations. And whereas difficulties and dissections thus arose between the Cherokees and Creek tribes about their boundary lines, which occasioned an appeal to the President of the United States for his interposition, and final settlement of the question, which they were unable to settle between themselves. And whereas the commissioners of the United States, whose names are signed hereto, in pursuance of the power and authority vested in them by the President of the United States, met the chiefs and head-men of the Cherokee and Creek nations of Indians, in council, on the 29th ultimo; and after a full and patient hearing and careful examination of all the claims, set up and brought forward by both the contending parties, they have this day effected an adjustment of all their difficulties, and have succeeded in defining and establishing boundary lines to their country west of the Mississippi, which have been acknowledged, in open council, this day, to be mutually satisfactory to both nations.

Objects.

Now, therefore, for the purpose of securing the great objects contemplated by an amicable settlement of the difficulties heretofore existing between the Cherokee and Muskogee or Creek Indians, so injurious to both parties; and in order to establish boundary lines which will secure a country and permanent home to the whole Creek nation of Indians, including the Seminole nation who are anxious to join them, the undersigned commissioners, duly authorized to act on behalf of the United States, and the chiefs and head-men of the said Muskogee or Creek Indians, having full power and authority to act for their people west of the Mississippi, hereby agree to the following articles:

Bounds of the grants to the Creeks.

ART. II. The United States hereby agree, by and with the consent of the Creek and Cherokee delegates, this day obtained, that the Muskogee or Creek country west of the Mississippi, shall be embraced within the following boundaries, viz:—Beginning at the mouth of the north fork of the Canadian River, and run northerly four miles—thence running a straight line so as to meet a line drawn from the south bank of the Arkansas River opposite to the east or lower bank of Grand River, at its junction with the Arkansas, and which runs a course south 44 deg. west, one mile, to a post placed in the ground—thence along said line to the Arkansas, and up the same and the Verdigris River, to where the old Territorial line crosses it—thence along said line north to a point twenty-five miles from the Arkansas River where the old Territorial line crosses the same—thence running a line at right angles with the Territorial line aforesaid, or west, to the Mexico line—thence along the said line southerly to the Canadian River or to the boundary of the Choctaw country—thence down said river to the place of beginning. The lines, hereby defining the country of the Muskogee Indians on the north and east, bound the country of the Cherokees along these courses, as settled by the treaty concluded this day between the United States and that tribe.

United States will convey in fee simple.

ART. III. The United States will grant a patent, in fee-simple, to the Creek nation of Indians for the land assigned said nation by this treaty or convention, whenever the same shall have been ratified by the Presi-

dent and Senate of the United States—and the right thus guaranteed by the United States shall be continued to said tribe of Indians, so long as they shall exist as a nation, and continue to occupy the country hereby assigned them.

ART. IV. It is hereby mutually understood and agreed between the parties to this treaty, that the land assigned to the Muskogee Indians, by the second article thereof, shall be taken and considered the property of the whole Muskogee or Creek nation, as well of those now residing upon the land, as the great body of said nation who still remain on the east side of the Mississippi: and it is also understood and agreed that the Seminole Indians of Florida, whose removal to this country is provided for by their treaty with the U. S. dated May 9th, 1832, shall also have a permanent and comfortable home on the lands hereby set apart as the country of the Creek nation: and they (the Seminoles) will hereafter be considered a constituent part of said nation, but are to be located on some part of the Creek country by themselves—which location will be selected for them by the commissioners who have signed these articles of agreement or convention.

The whole Creek nation and the Seminoles interested.

ART. VIII. It is agreed by the parties to this convention, that the country hereby provided for the Creek Indians, shall be taken in lieu of and considered to be the country provided or intended to be provided, by the treaty made between the United States and the Creek nation on the 24th day of January, 1826, under which they removed to this country. (a)

The land granted in lieu of former grant.

(a) See Nos. 1720, 1731, 1738, 1750, 1752.

No. 1726.—ARTICLES of agreement or a treaty between the United States and the Quapaw Indians entered into by John F. Schermerhorn, commissioner of Indian affairs west on the part of the United States and the chiefs and warriors of the Quapaw Indians.

May 13, 1833.
Proclamation,
April 12, 1834.
Vol. 7, p. 424.

Whereas, by the treaty between the United States and the Quapaw Indians, concluded November 15th, 1824, they ceded to the United States all their lands in the Territory of Arkansas, and according to which they were "*to be concentrated and confined to a district of country inhabited by the Caddo Indians and form a part of said tribe,*" and whereas they did remove according to the stipulations of said treaty, and settled on the Bayou Treache on the south side of Red River, on a tract of land given them by the Caddo Indians, but which was found subject to frequent inundations on account of the raft on Red River, and where their crops were destroyed by the water year after year, and which also proved to be a very sickly country and where in a short time, nearly one-fourth of their people died, and whereas they could obtain no other situation from the Caddoes and they refused to incorporate them and receive them as a constituent part of their tribe as contemplated by their treaty with the United States, and as they saw no alternative but to perish if they continued there, or to return to their old residence on the Arkansas, they therefore chose the latter; and whereas they now find themselves very unhappily situated in consequence of having their little improvements taken from them by the settlers of the country; and being anxious to secure a permanent and peaceable home the following articles or treaty are agreed upon between the United States and the Quapaw Indians by John F. Schermerhorn — — — commissioners of Indian affairs west and the chiefs and warriors of said Quapaw Indians this (13th) thirteenth day of May, 1833.—

Preamble.

ARTICLE I. The Quapaw Indians hereby relinquish and convey to the United States all their right and title to the lands given them by the Caddo Indians on the Bayou Treache of Red River.—

Lands formerly given relinquished to United States.

ART. II. The United States hereby agree to convey to the Quapaw Indians one hundred and fifty sections of land west of the State line of Missouri and between the lands of the Senecas and Shawnees, not heretofore assigned to any other tribe of Indians, the same to be selected and assigned by the commissioners of Indian affairs west, and which is expressly designed to be [in] lieu of their location on Red River and to carry into effect the treaty of 1824, in order to provide a permanent home for their nation; the United States agree to convey the same by patent, to them and their descendants as long as they shall exist as a

Other lands granted by United States.

nation or continue to reside thereon, and they also agree to protect them in their new residence, against all interruption or disturbance from any other tribe or nation of Indians or from any other person or persons whatever. (a)

(a) See No. 1745.

June 30, 1834.
Vol. 4, p. 729.

No. 1727.—AN ACT to regulate trade and intercourse with the Indian tribes, and to preserve peace on the frontiers.

Parts of territory of United States to be deemed Indian country.

Be it enacted, &c., That all that part of the United States west of the Mississippi, and not within the States of Missouri and Louisiana, or the Territory of Arkansas, and, also, that part of the United States east of the Mississippi River, and not within any State to which the Indian title has not been extinguished, for the purposes of this act, be taken and deemed to be the Indian country.

Settlers may be driven off by military force.

SEC. 11. *And be it further enacted,* That if any person shall make a settlement on any lands belonging, secured, or granted by treaty with the United States to any Indian tribe, or shall survey or shall attempt to survey such lands, or designate any of the boundaries by marking trees, or otherwise, such offender shall forfeit and pay the sum of one thousand dollars. And it shall, moreover, be lawful for the President of the United States to take such measures, and to employ such military force, as he may judge necessary to remove from the lands as aforesaid any such person as aforesaid.

Purchases or grants from Indians invalid.

SEC. 12. *And be it further enacted,* That no purchase, grant, lease, or other conveyance of lands, or of any title or claim thereto, from any Indian nation or tribe of Indians, shall be of any validity in law or equity, unless the same be made by treaty or convention entered into pursuant to the Constitution. And if any person, not employed under the authority of the United States, shall attempt to negotiate such treaty or convention, directly or indirectly, to treat with any such nation or tribe of Indians, for the title or purchase of any lands by them held or claimed, such person shall forfeit and pay one thousand dollars: *Provided, nevertheless,* That it shall be lawful for the agent or agents of any State who may be present at any treaty held with Indians under the authority of the United States, in the presence and with the approbation of the commissioner or commissioners of the United States appointed to hold the same, to propose to, and adjust with the Indians, the compensation to be made for their claim to lands within such State, which shall be extinguished by treaty.

Proviso.

Indian country annexed, for legal purposes, to the district of Missouri, &c.

SEC. 24. *And be it further enacted,* That for the sole purpose of carrying this act into effect, all that part of the Indian country west of the Mississippi River, that is bounded north by the north line of lands assigned to the Osage tribe of Indians, produced east to the State of Missouri: west, by the Mexican possessions; south, by Red River; and east, by the west line of the Territory of Arkansas and the State of Missouri, shall be, and hereby is, annexed to the Territory of Arkansas; and that for the purpose aforesaid, the residue of the Indian country west of the said Mississippi River shall be, and hereby is, annexed to the judicial district of Missouri; and for the purpose aforesaid, the several portions of Indian country east of the said Mississippi River, shall be, and are hereby, severally annexed to the Territory in which they are situate.

Dec. 29, 1835.
Proclamation,
May 23, 1836.
Vol. 7, p. 478.

No. 1728.—ARTICLES of a treaty concluded at New Echota in the State of Georgia on the 29th day of Decr. 1835, by General William Carroll and John F. Schermerhorn, commissioners on the part of the United States, and the chiefs, headmen, and people of the Cherokee tribe of Indians.

Former treaties.

ART. 2. Whereas, by the treaty of May 6th, 1828, and the supplementary treaty thereto of Feb. 14th, 1833, with the Cherokees west of the Mississippi, the United States guarantied and secured to be conveyed by patent, to the Cherokee nation of Indians, the following tract of country: "Beginning at a point on the old western Territorial line of Arkansas Territory, being twenty-five miles north from the point where the Territorial line crosses Arkansas River; thence running from said north point south on the said Territorial line where the said Territorial line crosses Verdigris River; thence down said Verdigris River

to the Arkansas River; thence down said Arkansas to a point where a stone is placed opposite the east or lower bank of Grand River at its junction with the Arkansas; thence running south forty-four degrees west one mile; thence in a straight line to a point four miles northerly, from the mouth of the north fork of the Canadian; thence along the said four-mile line to the Canadian; thence down the Canadian to the Arkansas; thence down the Arkansas to that point on the Arkansas where the eastern Choctaw boundary strikes said river, and running thence with the western line of Arkansas Territory, as now defined, to the southwest corner of Missouri; thence along the western Missouri line to the land assigned the Senecas; thence on the south line of the Senecas to Grand River; thence up said Grand River as far as the south line of the Osage reservation, extended if necessary; thence up and between said south Osage line, extended west if necessary, and a line drawn due west from the point of beginning to a certain distance west, at which a line running north and south from said Osage line to said due west line will make seven millions of acres within the whole described boundaries. In addition to the seven millions of acres of land thus provided for and bounded, the United States further guaranty to the Cherokee nation a perpetual outlet west, and a free and unmolested use of all the country west of the western boundary of said seven millions of acres, as far west as the sovereignty of the United States and their right of soil extend: *Provided, however,* That if the saline or salt plain on the western prairie shall fall within said limits prescribed for said outlet, the right is reserved to the United States to permit other tribes of red men to get salt on said plain in common with the Cherokees; and letters-patent shall be issued by the United States as soon as practicable for the land hereby guarantied; and whereas it is apprehended by the Cherokees that in the above cession there is not contained a sufficient quantity of land for the accommodation of the whole nation on their removal west of the Mississippi, the United States, in consideration of the sum of five hundred thousand dollars therefore, hereby covenant and agree to convey to the said Indians and their descendants, by patent in fee-simple, the following additional tract of land, situated between the west line of the State of Missouri and the Osage reservation, beginning at the southeast corner of the same and runs north along the east line of the Osage lands fifty miles to the northeast corner thereof; and thence east to the west line of the State of Missouri; thence with said line south fifty miles; thence west to the place of beginning; estimated to contain eight hundred thousand acres of land; but it is expressly understood that if any of the lands assigned the Quapaws shall fall within the aforesaid bounds the same shall be reserved and excepted out of the lands above granted, and a pro rata reduction shall be made in the price to be allowed to the United States for the same by the Cherokees.

Proviso as to
salines.

Former cession
insufficient.

United States
to convey addi-
tional lands sold
to Cherokees.

Boundaries of
purchase.

Lands of Qua-
paws reserved.

Lands ceded
and sold to be
conveyed by pat-
ent.

Fort Gibson
reservation.

Rights reserv-
ed to United
States.

ART. 3. The United States also agree that the lands above, ceded by the treaty of Feb. 14, 1833, including the outlet, and those ceded by this treaty, shall all be included in one patent executed to the Cherokee nation of Indians by the President of the United States according to the provisions of the act of May 28, 1830. It is, however, agreed that the military reservation at Fort Gibson shall be held by the United States. But should the United States abandon said post and have no further use for the same it shall revert to the Cherokee nation. The United States shall always have the right to make and establish such post and military forts in any part of the Cherokee country as they may deem proper for the interest and protection of the same, and the free use of as much land, timber, fuel, and materials of all kinds for the construction and support of the same, as may be necessary; provided that if the private rights of individuals are interfered with, a just compensation therefor shall be made.

* * * * *

ART. 5. The United States hereby covenant and agree that the lands ceded to the Cherokee nation in the foregoing article shall in no future time, without their consent, be included within the territorial limits or jurisdiction of any State or Territory. But they shall secure to the Cherokee nation the right by their national councils to make and carry into effect all such laws as they may deem necessary for the government and protection of the persons and property within their own country belonging to their people or such persons as have connected themselves with them: *Provided always,* That they shall not be inconsistent with

Lands not to be
embraced in any
State or Territo-
ry without con-
sent of Chero-
kees.

Cherokee coun-
cil to make laws,
&c.

Proviso.

the Constitution of the United States and such acts of Congress as have been or may be passed regulating trade and intercourse with the Indians; and also, that they shall not be considered as extending to such citizens and army of the United States as may travel or reside in the Indian country by permission according to the laws and regulations established by the Government of the same. (a)

* * * * *

(a) See Nos. 1715, 1718, 1724, 1737, 1750.

Jan. 17, 1837.
Proclamation,
March 24, 1837.
Vol. 7, p. 605.

No. 1729.—ARTICLES of convention and agreement made on the seventeenth day of January, 1837, between the undersigned chiefs and commissioners duly appointed and empowered by the Choctaw tribe of red people, and John McLish, Pitman Colbert, James Brown, and James Perry, delegates of the Chickasaw tribe of Indians, duly authorized by the chiefs and head-men of said people, for that purpose, subject to the approval of the President and Senate of the United States.

The Chickasaws to form a district in the Choctaw country.

ARTICLE 1. It is agreed by the Choctaws, that the Chickasaws shall have the privilege of forming a district within the limits of their country, to be held on the same terms that the Choctaws now hold it, except the right of disposing of it,—which is held in common with the Choctaws and Chickasaws,—to be called the Chickasaw district of the Choctaw nation; to have an equal representation in their general council and to be placed on an equal footing in every other respect with any of the other districts of said nation, except a voice in the management of the consideration which is given for these rights and privileges; and the Chickasaw people to be entitled to all the rights and privileges of Choctaws, with the exception of participating in the Choctaw annuities and the consideration to be paid for these rights and privileges and to be subject to the same laws to which the Choctaws are, but the Chickasaws reserve to themselves the sole right and privilege of controlling and managing the residue of their funds as far as is consistent with the late treaty between the said people and the Government of the United States, and of making such regulations and electing such officers for that purpose as they may think proper.

Their privileges.

Boundaries of the district.

ART. 2. The Chickasaw district shall be bounded as follows, viz: beginning on the north bank of Red River, at the mouth of Island Bayou, about eight or ten miles below the mouth of False Wachitta; thence running north along the main channel of said bayou to its source; thence along the dividing ridge between the Wachitta and Low Blue rivers to the road leading from Fort Gibson to Fort Wachitta; thence along said road to the line dividing Musha-la-tubbee and Push-metahaw districts; thence eastwardly along said district line to the source of Brushy Creek; thence down said creek to where it flows into the Canadian River, ten or twelve miles above the mouth of the south fork of the Canadian; thence west along the main Canadian River to its source, if in the limits of the United States, or to those limits; and thence due south to Red River and down Red River to the beginning. (a)

* * * * *

(a) See Nos. 1716, 1717, 1730, 1733.

March 3, 1839.
Vol. 5, p. 323.

No. 1729a.—AN ACT making appropriations for the current and contingent expenses of the Indian Department, and for fulfilling treaty stipulations with the various Indian tribes, for the year one thousand eight hundred and thirty-nine.

Second sectionⁿ of act May 28, 1830, repealed.

* * * * *

SEC. 2. *And be it further enacted,* That the second section of an act passed the twenty-eighth day of May, eighteen hundred and thirty, entitled "An act to provide for an exchange of lands with the Indian tribes residing within any of the States or Territories, and for their removal west of the river Mississippi," be, and the same is hereby, repealed. (a)

(a) See Nos. 1718a.

No. 1730.—ARTICLES of agreement and convention between the United States and the Choctaw and Chickasaw tribes of Indians, made and concluded at the city of Washington, the twenty-second day of June, A. D. one thousand eight hundred and fifty-five, by George W. Manypenny, commissioner on the part of the United States, Peter P. Pitchlynn, Israel Folsom, Samuel Garland, and Dixon W. Lewis, commissioners on the part of the Choctaws; and Edmund Pickens and Sampson Folsom, commissioners on the part of the Chickasaws:

June 22, 1855.
Proclamation,
March 4, 1856.
Vol. 11, p. 611.

Whereas the political connexion heretofore existing between the Choctaw and the Chickasaw tribes of Indians has given rise to unhappy and injurious dissensions and controversies among them, which render necessary a readjustment of their relations to each other and to the United States; and

Preamble.

Whereas the United States desire that the Choctaw Indians shall relinquish all claim to any territory west of the one hundredth degree of west longitude, and also to make provision for the permanent settlement within the Choctaw country of the Wichita and certain other tribes or bands of Indians, for which purpose the Choctaws and Chickasaws are willing to lease, on reasonable terms, to the United States, that portion of their common territory which is west of the ninety-eighth degree of west longitude; and

Preamble.

Whereas the Choctaws contend that, by a just and fair construction of the treaty of September 27, 1830, they are, of right, entitled to the net proceeds of the lands ceded by them to the United States, under said treaty, and have proposed that the question of their right to the same, together with the whole subject-matter of their unsettled claims, whether national or individual, against the United States, arising under the various provisions of said treaty, shall be referred to the Senate of the United States for final adjudication and adjustment; and whereas it is necessary for the simplification and better understanding of the relations between the United States and the Choctaw Indians, that all their subsisting treaty stipulations be embodied in one comprehensive instrument:

Preamble.

Now, therefore, the United States of America, by their commissioner, George W. Manypenny, the Choctaws, by their commissioners, Peter P. Pitchlynn, Israel Folsom, Samuel Garland, and Dickson W. Lewis, and the Chickasaws, by their commissioners, Edmund Pickens and Sampson Folsom, do hereby agree and stipulate as follows, viz:

ARTICLE 1. The following shall constitute and remain the boundaries of the Choctaw and Chickasaw country, viz: Beginning at a point on the Arkansas River, one hundred paces east of old Fort Smith, where the western boundary line of the State of Arkansas crosses the said river, and running thence due south to Red River; thence up Red River to the point where the meridian of one hundred degrees west longitude crosses the same; thence north along said meridian to the main Canadian River; thence down said river to its junction with the Arkansas River; thence down said river to the place of beginning.

Future boundaries of the Choctaw and Chickasaw country.

And pursuant to an act of Congress approved May 28, 1830, the United States do hereby forever secure and guarantee the lands embraced within the said limits, to the members of the Choctaw and Chickasaw tribes, their heirs and successors, to be held in common; so that each and every member of either tribe shall have an equal, undivided interest in the whole: *Provided, however,* No part thereof shall ever be sold without the consent of both tribes; and that said land shall revert to the United States if said Indians and their heirs become extinct, or abandon the same.

The lands in those limits guaranteed to them.

ART. 2. A district for the Chickasaws is hereby established, bounded as follows, to wit: beginning on the north bank of Red River, at the mouth of Island Bayou, where it empties into Red River, about twenty-six miles on a straight line, below the mouth of False Wachitta; thence running a northwesterly course along the main channel of said bayou, to the junction of the three prongs of said bayou, nearest the dividing ridge between Wachitta and Low Blue rivers, as laid down on Capt. R. L. Hunter's map; thence northerly along the eastern prong of Island Bayou to its source; thence due north to the Canadian River; thence west along the main Canadian to the ninety-eighth degree of west longitude; thence south to Red River; and thence down Red River to the beginning: *Provided, however,* If the line running due north, from the eastern source of Island Bayou, to the main Canadian, shall not include Allen's or Wa-pa-nacka Academy, within the Chickasaw district, then, an offset shall be made from said line, so as to leave said academy two

Proviso as to sales, and as to the reversion in said lands.

District established for the Chickasaws.

miles within the Chickasaw district, north, west and south from the lines of boundary.

Choctaw district.

ART. 3 The remainder of the country held in common by the Choctaws and Chickasaws, shall constitute the Choctaw district, and their officers and people shall at all times have the right of safe conduct and free passage through the Chickasaw district.

Cession of land by the Choctaws.

Lease by the Choctaws and Chickasaws for use of other Indians.

ART. 9. The Choctaw Indians do hereby absolutely and forever quit-claim and relinquish to the United States all their right, title, and interest in, and to any and all lands, west of the one hundredth degree of west longitude; and the Choctaws and Chickasaws do hereby lease to the United States all that portion of their common territory west of the ninety-eighth degree of west longitude, for the permanent settlement of the Wichita and such other tribes or bands of Indians as the Government may desire to locate therein; excluding, however, all the Indians of New Mexico, and also those whose usual ranges at present are north of the Arkansas River, and whose permanent locations are north of the Canadian River, but including those bands whose permanent ranges are south of the Canadian, or between it and the Arkansas; which Indians shall be subject to the exclusive control of the United States, under such rules and regulations, not inconsistent with the rights and interests of the Choctaws and Chickasaws, as may from time to time be prescribed by the President for their government: *Provided, however,* The Territory so leased shall remain open to settlement by Choctaws and Chickasaws as heretofore.

Military posts, post-roads, and agencies may be established.

ART. 17. The United States shall have the right to establish and maintain such military posts, post-roads, and Indian agencies, as may be deemed necessary within the Choctaw and Chickasaw country, but no greater quantity of land or timber shall be used for said purposes, than shall be actually requisite; and if, in the establishment or maintenance of such posts, post-roads, and agencies, the property of any Choctaw or Chickasaw shall be taken, injured, or destroyed, just and adequate compensation shall be made by the United States. Only such persons as are, or may be in the employment of the United States, or subject to the jurisdiction and laws of the Choctaws, or Chickasaws, shall be permitted to farm or raise stock within the limits of any of said military posts or Indian agencies. And no offender against the laws of either of said tribes, shall be permitted to take refuge therein.

Right of way for railroads and telegraphs.

ART. 18. The United States, or any incorporated company, shall have the right of way for railroads, or lines of telegraphs, through the Choctaw and Chickasaw country; but for any property taken or destroyed in the construction thereof, full compensation shall be made to the party or parties injured, to be ascertained and determined in such manner as the President of the United States shall direct. (a)

This treaty to supersede all former treaties with the Choctaws, and all inconsistent treaties with Chickasaws, or between said tribes.

ART. 21. This convention shall supersede and take the place of all former treaties between the United States and the Choctaws, and also, of all treaty stipulations between the United States and the Chickasaws, and between the Choctaws and Chickasaws, inconsistent with this agreement, and shall take effect and be obligatory upon the contracting parties, from the date hereof, whenever the same shall be ratified by the respective councils of the Choctaw and Chickasaw tribes, and by the President and Senate of the United States. (b)

(a) See Nos. 1121, 1731, 1732, 1733, 1734, 1735, 1736, 1737, 1738, 1739.
(b) See Nos. 1716, 1717, 1729, 1733.

Aug. 7, 1856.
Proclamation,
Aug. 28, 1856.
Vol. 11, p. 699.

NO. 1731.—ARTICLES of agreement and convention between the United States, and the Creek and Seminole tribes of Indians, made and concluded at the city of Washington the seventh day of August, one thousand eight hundred and fifty-six, by George W. Manypenny, commissioner on the part of the United States, Tuck-a-batchee-Micco, Echo-Harjo, Chilly McIntosh, Benjamin Marshall, George W. Stidham, and Daniel N. McIntosh, commissioners on the part of the Creeks; and John Jumper, Tuste-nuc-o-chee, Pare-co-fer, and James Factor, commissioners on the part of the Seminoles:

Cession by Creeks to Seminoles.

ARTICLE I. The Creek nation doth hereby grant, cede, and convey to the Seminole Indians, the tract of country included within the following boundaries, viz: Beginning on the Canadian River, a few miles east of the ninety-seventh parallel of west longitude where Ock-hi-appo, or

Pond Creek, empties into the same; thence, due north to the north fork of the Canadian; thence, up said north fork of the Canadian to the southern line of the Cherokee country; thence, with that line, west, to the one-hundredth parallel of west longitude; thence, south along said parallel of longitude to the Canadian River, and thence down and with that river to the place of beginning.

ART. II. The following shall constitute and remain the boundaries of the Creek country, viz: Beginning at the mouth of the north fork of the Canadian River, and running northerly four miles; thence running a straight line so as to meet a line drawn from the south bank of the Arkansas River, opposite to the east or lower bank of Grand River, at its junction with the Arkansas, and which runs a course, south, forty-four degrees, west, one mile, to a post placed in the ground; thence along said line to the Arkansas and up the same and the Verdigris River, to where the old Territorial line crosses it; thence along said line, north, to a point twenty-five miles from the Arkansas River, where the old Territorial line crosses the same; thence running west with the southern line of the Cherokee country, to the north fork of the Canadian River, where the boundary of the cession to the Seminoles defined in the preceeding article, first strikes said Cherokee line; thence down said north fork, to where the eastern boundary line of the said cession to the Seminoles strikes the same; thence, with that line, due south to the Canadian River, at the mouth of the Ock-hi-appo, or Pond Creek; and thence down said Canadian River to the place of beginning.

Boundaries of Creek country.

ART. III. The United States do hereby solemnly guarantee to the Seminole Indians the tract of country ceded to them by the first article of this convention; and to the Creek Indians, the lands included within the boundaries defined in the second article hereof; and likewise that the same shall respectively be secured to and held by said Indians by the same title and tenure by which they were guaranteed and secured to the Creek nation by the fourteenth article of the treaty of March twenty-fourth, eighteen hundred and thirty-two, the third article of the treaty of February fourteenth, eighteen hundred and thirty-three, and by the letters-patent issued to the said Creek nation, on the eleventh day of August, eighteen hundred and fifty-two, and recorded in volume four of records of Indian deeds in the Office of Indian Affairs, pages 446 and 447. *Provided however*, That no part of the tract of country so ceded to the Seminole Indians, shall ever be sold, or otherwise disposed of without the consent of both tribes legally given.

Seminole and Creek countries as hereby fixed, guaranteed to them.

ART. IV. The United States do hereby solemnly agree and bind themselves, that no State or Territory shall ever pass laws for the government of the Creek or Seminole tribes of Indians, and that no portion of either of the tracts of country defined in the first and second articles of this agreement shall ever be embraced or included within, or annexed to, any Territory or State, nor shall either, or any part of either, ever be erected into a Territory without the full and free consent of the legislative authority of the tribe owning the same.

No State or Territory to pass laws for said tribes.

ART. V. The Creek Indians do hereby, absolutely and forever, quit-claim and relinquish to the United States all their right, title, and interest in and to any lands heretofore owned or claimed by them, whether east or west of the Mississippi River, and any and all claim for or on account of any such lands, except those embraced within the boundaries described in the second article of this agreement.

Said countries not to be included in any State or Territory without their consent.

Release by Creeks of all title to other lands, and all claims against United States, except, &c.

ART. XIX. The United States shall have the right to establish and maintain such military posts, military and post-roads, and Indian agencies as may be deemed necessary within the Creek and Seminole country, but no greater quantity of land or timber shall be used for said purposes than shall be actually requisite; and if, in the establishment or maintenance of such posts, roads, or agencies, the property of any Creek or Seminole be taken, destroyed, or injured, or any property of either nation, other than land and timber, just and adequate compensation shall be made by the United States. Such persons only as are or may be in the employment of the United States, in any capacity, civil or military, or subject to the jurisdiction and laws of the Creeks and Seminoles, shall be permitted to farm or raise stock within the limits of any of said military posts or Indian agencies. And no offender against the laws of either of said tribes shall be permitted to take refuge therein.

Right to establish posts, roads, and agencies reserved to the United States.

Regulations respecting the same.

Right of way
for railroads and
telegraphs.

ART. XX. The United States, or any incorporated company, shall have the right of way for railroads, or lines of telegraphs, through the Creek and Seminole countries; but in the case of any incorporated company, it shall have such right of way only upon such terms, and payment of such amount to the Creeks and Seminoles, as the case may be, as may be agreed upon between it and the national council thereof; or, in case of disagreement by making full compensation, not only to individual parties injured, but also to the tribe for the right of way, all damage and injury done to be ascertained and determined in such manner as the President of the United States shall direct. And the right of way granted by either of said tribes for any railroad, shall be perpetual or for such shorter term, as the same may be granted, in the same manner as if there were no reversion of their lands to the United States provided for, in case of abandonment by them, or of extinction of their tribe. (a)

Survey of bound-
aries.

ART. XXI. The United States will cause such portions of the boundaries of the Creek and Seminole countries, as do not consist of well-defined natural boundaries, to be surveyed and permanently marked and established. The Creek and Seminole general councils may each appoint a commissioner from their own people to attend the running of their respective boundaries, whose expenses and a reasonable allowance for their time and services, while engaged in such duty, shall be paid by the United States. (b)

* * * * *

(a) See Nos. 1121, 1730, 1732, 1733, 1734, 1735, 1736, 1737, 1738, 1739.
(b) See Nos. 1720, 1725, 1738, 1739, 1750, 1752.

Oct. 18, 1865.
Proclamation,
May 28, 1866.
Vol. 14, p. 717.

No. 1732.—ARTICLES of a treaty made and concluded at the council ground on the Little Arkansas River eight miles from the mouth of said river, in the State of Kansas, on the eighteenth day of October, in the year of our Lord one thousand eight hundred and sixty-five, by and between John B. Sanborn, William S. Harney, Thomas Murphy, Kit Carson, William W. Bent, Jesse H. Leavenworth, and James Steele, commissioners on the part of the United States, and the undersigned chiefs and head-men of the several bands of Comanche Indians specified in connection with their signatures, and the chiefs and headmen of the Kiowa tribe of Indians, the said chiefs and head-men by the said bands and tribes being thereunto duly authorized.

Reservation
for Indians who
are parties here-
to.
Boundaries.

ART. II. The United States hereby agree that the district of country embraced within the following limits, or such portion of the same as may hereafter from time to time be designated by the President of the United States for that purpose, viz: Commencing at the northeast corner of New Mexico, thence south to the southeast corner of the same; thence northeastwardly to a point on main Red River opposite the mouth of the north fork of said river; thence down said river to the 98th degree of west longitude; thence due north on said meridian to the Cimarrone River; thence up said river to a point where the same crosses the southern boundary of the State of Kansas; thence along said southern boundary of Kansas to the southwest corner of said State; thence west to the place of beginning, shall be and is hereby set apart for the absolute and undisturbed use and occupation of the tribes who are parties to this treaty, and of such other friendly tribes as have heretofore resided within said limits, or as they may from time to time agree to admit among them, and that no white person except officers, agents, and employes of the Government shall go upon or settle within the country embraced within said limits, unless formally admitted and incorporated into some one of the tribes lawfully residing there, according to its laws and usages. The Indians parties hereto on their part expressly agree * * * that henceforth they will and do hereby relinquish all claims or rights in and to any portion of the United States or Territories, except such as is embraced within the limits aforesaid, and more especially their claims and rights in and to the country north of the Cimarrone River and west of the eastern boundary of New Mexico. (a)

No whites, ex-
cept, &c., to set-
tle thereon, un-
less, &c.
Indians to re-
move thereto.
Claims to other
lands relinquish-
ed.

United States
may build roads
through reserva-
tion, and estab-
lish military
posts.

ART. IV. It is further agreed by the parties hereto that the United States may lay off and build through the reservation, provided for by article II. of this treaty, roads or highways as may be deemed necessary, and may also establish such military posts within the same as may be found necessary, in order to preserve peace among the Indians, and in order to enforce such laws, rules, and regulations as are now or may from time to time be prescribed by the President and Congress of the United States for the protection of the rights of persons and property

among the Indians residing upon said reservation, and further, that in time of war such other military posts as may be considered essential to the general interests of the United States may be established: *Provided, however,* That upon the building of such roads, or establishment of such military posts, the amount of injury sustained by reason thereof by the Indians inhabiting said reservation shall be ascertained under direction of the President of the United States, and thereupon such compensation shall be made to said Indians as, in the judgment of the Congress of the United States, may be deemed just and proper. (b)

Damages there-
for to be ascer-
tained and paid.

(a) See Nos. 1742, 1743.

(b) See Nos. 1121, 1730, 1731, 1733, 1734, 1735, 1736, 1737, 1738, 1739.

No. 1733.—ARTICLES of agreement and convention between the United States and the Choctaw and Chickasaw nations of Indians, made and concluded at the city of Washington the twenty-eighth day of April, in the year eighteen hundred and sixty-six, by Dennis N. Cooley, Elijah Sells, and E. S. Parker, special commissioners on the part of the United States, and Alfred Wade, Allen Wright, James Riley, and John Page, commissioners on the part of the Choctaws, and Winchester Colbert, Edmund Pickens, Holmes Colbert, Colbert Carter, and Robert H. Love, commissioners on the part of the Chickasaws.

April 28, 1866.
Proclamation,
July 10, 1866.
Vol. 14, p. 709.

ART. III. The Choctaws and Chickasaws, in consideration of the sum of three hundred thousand dollars, hereby cede to the United States the territory west of the 98° west longitude, known as the leased district, provided that the said sum shall be invested and held by the United States, at an interest not less than five per cent., in trust for the said nations, until the legislatures of the Choctaw and Chickasaw nations respectively shall have made such laws, rules, and regulations as may be necessary to give all persons of African descent, resident in the said nations at the date of the treaty of Fort Smith, and their descendants, heretofore held in slavery among said nations, all the rights, privileges, and immunities, including the right of suffrage, of citizens of said nations, except in the annuities, moneys, and public domain claimed by, or belonging to, said nations respectively; and also to give to such persons who were residents as aforesaid, and their descendants, forty acres each of the land of said nations on the same terms as the Choctaws and Chickasaws, to be selected on the survey of said land, after the Choctaws and Chickasaws and Kansas Indians have made their selections as herein provided; and immediately on the enactment of such laws, rules, and regulations, the said sum of three hundred thousand dollars shall be paid to the said Choctaw and Chickasaw nations in the proportion of three-fourths to the former and one-fourth to the latter,—less such sum, at the rate of one hundred dollars per capita, as shall be sufficient to pay such persons of African descent before referred to as within ninety days after the passage of such laws, rules, and regulations shall elect to remove and actually remove from the said nations respectively. And should the said laws, rules, and regulations not be made by the legislatures of the said nations respectively, within two years from the ratification of this treaty, then the said sum of three hundred thousand dollars shall cease to be held in trust for the said Choctaw and Chickasaw nations, and be held for the use and benefit of such of said persons of African descent as the United States shall remove from the said territory in such manner as the United States shall deem proper,—the United States agreeing, within ninety days from the expiration of the said two years, to remove from said nations all such persons of African descent as may be willing to remove; those remaining or returning after having been removed from said nations to have no benefit of said sum of three hundred thousand dollars, or any part thereof, but shall be upon the same footing as other citizens of the United States in the said nations.

Cession of the
leased district to
the United
States.

Purchase mon-
ey to be invested
by the United
States and held
in trust until, &c.

ART. VI. The Choctaws and Chickasaws hereby grant a right of way through their lands to any company or companies which shall be duly authorized by Congress, or by the legislatures of said nations, respectively, and which shall, with the express consent and approbation of the Secretary of the Interior, undertake to construct a railroad through the Choctaw and Chickasaw nations from the north to the south thereof, and from the east to the west side thereof, in accordance with the provisions of the 18th article of the treaty of June twenty-second, one

Right of way
through their
country for rail-
roads.

Damages. thousand eight hundred and fifty-five, which provides that for any property taken or destroyed in the construction thereof full compensation shall be made to the party or parties injured, to be ascertained and determined in such manner as the President of the United States shall direct. But such railroad company or companies, with all its or their agents and employes shall be subject to the laws of the United States relating to intercourse with Indian tribes, and also to such rules and regulations as may be prescribed by the Secretary of the Interior for that purpose. And it is also stipulated and agreed that the nation through which the road or roads aforesaid shall pass may subscribe to the stock of the particular company or companies such amount or amounts as they may be able to pay for in alternate sections of unoccupied lands for a space of six miles on each side of said road or roads, at a price per acre to be agreed upon between said Choctaw and Chickasaw nations and the said company or companies, subject to the approval of the President of the United States: *Provided, however,* That said land, thus subscribed, shall not be sold, or demised, or occupied by any one not a citizen of the Choctaw or Chickasaw nations, according to their laws and recognized usages: *Provided,* That the officers, servants, and employes of such companies necessary to the construction and management of said road or roads shall not be excluded from such occupancy as their respective functions may require, they being subject to the provisions of the Indian intercourse law and such rules and regulations as may be established by the Secretary of the Interior: *And provided also,* That the stock thus subscribed by either of said nations shall have the force and effect of a first-mortgage bond on all that part of said road, appurtenances, and equipments situated and used within said nations respectively, and shall be a perpetual lien on the same, and the said nations shall have the right, from year to year, to elect to receive their equitable proportion of declared dividends of profits on their said stock, or interest on the par value at the rate of six per cent. per annum.

Companies subject to laws, &c. When companies to be entitled to patents for the lands. 2. And it is further declared in this connection, that as fast as sections of twenty miles in length are completed, with the rails laid ready for use, with all water and other stations necessary to the use thereof, as a first-class road, the said company or companies shall become entitled to patents for the alternate sections aforesaid, and may proceed to dispose thereof in the manner herein provided for, subject to the approval of the Secretary of the Interior.

Indians may subscribe to stock. Other lands may be selected in lieu of occupied sections. 3. And it is further declared, also, in case of one or more of said alternate sections being occupied by any member or members of said nations respectively, so that the same cannot be transferred to the said company or companies, that the said nation or nations, respectively, may select any unoccupied section or sections, as near as circumstances will permit, to the said width of six miles on each side of said road or roads, and convey the same as an equivalent for the section or sections so occupied as aforesaid. (a)

Proviso. Survey and division of lands in severalty. ART. XI. Whereas the land occupied by the Choctaw and Chickasaw nations, and described in the treaty between the United States and said nations, of June twenty-second, eighteen hundred and fifty-five, is now held by the members of said nations in common, under the provisions of the said treaty; and whereas it is believed that the holding of said land in severalty will promote the general civilization of said nations, and tend to advance their permanent welfare and the best interests of their individual members, it is hereby agreed that, should the Choctaw and Chickasaw people, through their respective legislative councils, agree to the survey and dividing their land on the system of the United States, the land aforesaid east of the ninety-eighth degree of west longitude shall be, in view of the arrangements hereinafter mentioned, surveyed and laid off in ranges, townships, sections, and parts of sections; and that for the purpose of facilitating such surveys and for the settlement and distribution of said land as hereinafter provided, there shall be established at Boggy Depot, in the Choctaw territory, a land office; and that, in making the said surveys and conducting the business of the said office, including the appointment of all necessary agents and surveyors, the same system shall be pursued which has heretofore governed in respect to the public lands of the United States, it being understood that the said surveys shall be made at the cost of the United States and by their agents and surveyors, as in the case of their own

Land office established at Boggy Depot.

public lands, and that the officers and employes shall receive the same compensation as is paid to officers and employes in the land offices of the United States in Kansas.

ART. XII. The maps of said surveys shall exhibit, as far as practicable, the outlines of the actual occupancy of members of the said nations, respectively; and when they are completed, shall be returned to the said land office at Boggy Depot for inspection by all parties interested, when notice for ninety days shall be given of such return, in such manner as the legislative authorities of the said nations, respectively, shall prescribe, or, in the event of said authorities failing to give such notice in a reasonable time, in such manner as the register of said land office shall prescribe, calling upon all parties interested to examine said maps to the end that errors, if any, in the location of such occupancies, may be corrected.

Maps of surveys to exhibit actual occupancies, &c.

ART. XIII. The notice required in the above article shall be given, not only in the Choctaw and Chickasaw nations, but by publication in newspapers printed in the States of Mississippi and Tennessee, Louisiana, Texas, Arkansas, and Alabama, to the end that such Choctaws and Chickasaws as yet remain outside of the Choctaw and Chickasaw nations, may be informed and have opportunity to exercise the rights hereby given to resident Choctaws and Chickasaws: *Provided*, That before any such absent Choctaw or Chickasaw shall be permitted to select for him or herself, or others, as hereinafter provided, he or she shall satisfy the register of the land office of his or her intention, or the intention of the party for whom the selection is to be made, to become bona-fide resident in the said nation within five years from the time of selection; and should the said absentee fail to remove into said nation, and occupy and commence an improvement on the land selected within the time aforesaid, the said selection shall be cancelled, and the land shall thereafter be discharged from all claim on account thereof.

Notice to parties interested to examine the maps.

ART. XIV. At the expiration of the ninety days aforesaid the legislative authorities of the said nations, respectively, shall have the right to select one quarter-section of land in each of the counties of said nations respectively, in trust for the establishment of seats of justice therein, and also as many quarter-sections as the said legislative councils may deem proper for the permanent endowment of schools, seminaries, and colleges in said nation, provided such selection shall not embrace or interfere with any improvement in the actual occupation of any member of the particular nation without his consent; and provided the proceeds of sale of the quarter-sections selected for seats of justice shall be appropriated for the erection or improvement of public buildings in the county in which it is located.

Lands may be selected for seats of justice, for schools, seminaries and colleges.

ART. XV. At the expiration of the ninety days' notice aforesaid, the selection which is to change the tenure of the land in the Choctaw and Chickasaw nations from a holding in common to a holding in severalty shall take place, when every Choctaw and Chickasaw shall have the right to one quarter-section of land, whether male or female, adult or minor, and if in actual possession or occupancy of land improved or cultivated by him or her, shall have a prior right to the quarter-section in which his or her improvement lies; and every infant shall have selected for him or her a quarter-section of land in such location as the father of such infant, if there be a father living, and if no father living, then the mother or guardian, and should there be neither father, mother, nor guardian, then as the probate judge of the county, acting for the best interest of such infant, shall select.

Each Indian to have a right to one quarter-section of land.

Actual occupant.

Infants.

ART. XVI. Should an actual occupant of land desire, at any time prior to the commencement of the surveys aforesaid, to abandon his improvement, and select and improve other land, so as to obtain the prior right of selection thereof, he or she shall be at liberty to do so; in which event the improvement so abandoned shall be open to selection by other parties: *Provided*, That nothing herein contained shall authorize the multiplication of improvements so as to increase the quantity of land beyond what a party would be entitled to at the date of this treaty.

Actual occupant, prior to surveys, may abandon his improvements and select other land. *Proviso.*

ART. XVII. No selection to be made under this treaty shall be permitted to deprive or interfere with the continued occupation, by the missionaries established in the respective nations, of their several missionary establishments; it being the wish of the parties hereto to promote and foster an influence so largely conducive to civilization and refinement. Should any missionary who has been engaged in missionary labor for five consecutive years before the date of this treaty in the

Occupation by missionaries of missionary establishments not to be interfered with.

Rights of certain missionaries.

said nations, or either of them, or three consecutive years prior to the late rebellion, and who, if absent from the said nations, may desire to return, wish to select a quarter-section of land with a view to a permanent home for himself and family, he shall have the privilege of doing so, provided no selection shall include any public buildings, schools or seminary; and a quantity of land not exceeding six hundred and forty acres, to be selected according to legal subdivisions in one body, and to include their improvements, is hereby granted to every religious society or denomination which has erected, or which, with the consent of the Indians, may hereafter erect buildings within the Choctaw and Chickasaw country for missionary or educational purposes; but no land thus granted, nor the buildings which have been or may be erected thereon, shall ever be sold or otherwise disposed of, except with the consent of the legislatures of said nations respectively and approval of the Secretary of the Interior; and whenever such lands or buildings shall be sold or disposed of, the proceeds thereof shall be applied, under the direction of the Secretary of the Interior, to the support and maintenance of other similar establishments for the benefit of the Choctaws and Chickasaws, and such other persons as may hereafter become members of their nations, according to their laws, customs, and usages.

Rights of parents in selecting land for children.

ART. XVIII. In making a selection for children the parent shall have a prior right to select land adjacent to his own improvements or selection, provided such selection shall be made within thirty days from the time at which selections under this treaty commence.

Mode of selecting lands.

ART. XIX. The manner of selecting as aforesaid shall be by an entry with the register of the land office, and all selections shall be made to conform to the legal subdivisions of the said lands as shown by the surveys aforesaid on the maps aforesaid; it being understood that nothing herein contained is to be construed to confine a party selecting to one section, but he may take contiguous parts of sections by legal subdivisions in different sections, not exceeding together a quarter-section.

Proof of improvements to be made prior to entries.

ART. XX. Prior to any entries being made under the foregoing provisions, proof of improvements, or actual cultivation as well as the number of persons for whom a parent or guardian, or probate judge of the county proposes to select and of their right to select, and of his or her authority to select for them, shall be made to the register and receiver of the land office, under regulations to be prescribed by the Secretary of the Interior.

Sections sixteen and thirty-six to be reserved for schools. Proviso.

ART. XXI. In every township the sections of land numbered sixteen and thirty-six shall be reserved for the support of schools in said township: *Provided*, That if the same has been already occupied by a party or parties having the right to select it, or it shall be so sterile as to be unavailable, the legislative authorities of the particular nations shall have the right to select such other unoccupied sections as they may think proper.

Military posts and Indian agencies.

ART. XXII. The right of selection hereby given shall not authorize the selection of any land required by the United States as a military post, or Indian agency, not exceeding one mile square, which, when abandoned, shall revert to the nation in which the land lies.

Names of persons for whom selections are made to be in books of register.

ART. XXIII. The register of the land office shall inscribe in a suitable book or books, in alphabetical order, the name of every individual for whom a selection shall be made, his or her age, and a description of the land selected.

Town lots.

ART. XXIV. Whereas it may be difficult to give to each occupant of an improvement a quarter-section of land, or even a smaller subdivision, which shall include such improvement, in consequence of such improvements lying in towns, villages, or hamlets, the legislative authorities of the respective nations shall have power, where, in their discretion, they think it expedient, to lay off into town lots any section or part of a section so occupied, to which lots the actual occupants, being citizens of the respective nations, shall have pre-emptive right, and, upon paying into the treasury of the particular nation the price of the land as fixed by the respective legislatures, exclusive of the value of said improvement, shall receive a conveyance thereof. Such occupant shall not be prejudiced thereby in his right to his selection elsewhere. The town lots which may be unoccupied shall be disposed of for the benefit of the particular nation, as the legislative authorities may direct from time to time. When the number of occupants of the same quarter-

section shall not be such as to authorize the legislative authorities to lay out the same, or any part thereof, into town lots, they may make such regulations for the disposition thereof as they may deem proper, either by subdivision of the same, so as to accommodate the actual occupants, or by giving the right of prior choice to the first occupant in point of time, upon paying the others for their improvements, to be valued in such way as the legislative authorities shall prescribe, or otherwise. All occupants retaining their lots under this section, and desiring, in addition, to make a selection, must pay for the lots so retained, as in the case of town lots. And any Choctaw or Chickasaw who may desire to select a sectional division other than that on which his homestead is, without abandoning the latter, shall have the right to purchase the homestead sectional division at such price as the respective legislatures may prescribe.

ART. XXV. During ninety days from the expiration of the ninety days' notice aforesaid, the Choctaws and Chickasaws shall have the exclusive right to make selections, as aforesaid, and at the end of that time the several parties shall be entitled to patents for their respective selections, to be issued by the President of the United States, and countersigned by the chief executive officer of the nation in which the land lies, and recorded in the records of the executive office of the particular nation; and copies of the said patents, under seal, shall be evidence in any court of law or equity. When patents to issue for selected lands.

ART. XXVI. The right here given to Choctaws and Chickasaws, respectively, shall extend to all persons who have become citizens by adoption or intermarriage of either of said nations, or who may hereafter become such. Citizens by adoption or intermarriage to have same rights.

ART. XXVII. In the event of disputes arising in regard to the rights of parties to select particular quarter-sections or other divisions of said land, or in regard to the adjustment of boundaries, so as to make them conform to legal divisions and subdivisions such disputes shall be settled by the register of the land office and the chief executive officer of the nation in which the land lies, in a summary way, after hearing the parties; and if said register and chief officer cannot agree, the two to call in a third party, who shall constitute a third referee, the decision of any two of whom shall be final, without appeal. Disputes as to selections of lands, how to be settled.

ART. XXVIII. Nothing contained in any law of either of the said nations shall prevent parties entitled to make selections contiguous to each other; and the Choctaw and Chickasaw nations hereby agree to repeal all laws inconsistent with this provision. Contiguous selections.

ART. XXIX. Selections made under this treaty shall, to the extent of one quarter-section, including the homestead or dwelling, be inalienable for the period of twenty-one years from the date of such selection, and upon the death of the party in possession shall descend according to the laws of the nation where the land lies; and in the event of his or her death without heirs, the said quarter-section shall escheat to and become the property of the nation. Selections to be inalienable, &c.

ART. XXXII. At the expiration of two years, or sooner, if the President of the United States shall so direct, from the completion of the surveys and maps aforesaid, the officers of the land offices aforesaid shall deliver to the executive departments of the Choctaw and Chickasaw nations, respectively, all such documents as may be necessary to elucidate the land title as settled according to this treaty, and forward copies thereof, with the field-notes, records, and other papers pertaining to said titles, to the Commissioner of the General Land Office; and thereafter grants of land and patents therefor shall be issued in such manner as the legislative authorities of said nations may provide for all the unselected portions of the Choctaw and Chickasaw districts as defined by the treaty of June twenty-second, eighteen hundred and fifty-five. Documents in land offices to be given to Choctaws and Chickasaws in two years.

ART. XXXIII. All lands selected as herein provided shall thereafter be held in severalty by the respective parties, and the unselected land shall be the common property of the Choctaw and Chickasaw nations, in their corporate capacities, subject to the joint control of their legislative authorities. Proceedings afterwards.

ART. XXXIV. Should any Choctaw or Chickasaw be prevented from selecting for him or herself during the the ninety days aforesaid, the failure to do so shall not authorize another to select the quarter-section containing his improvement, but he may at any time make his selection thereof, subject to having his boundaries made to conform to legal divisions as aforesaid. Selected lands to be held in severalty, and the unselected in common.

ART. XXXIV. Should any Choctaw or Chickasaw be prevented from selecting for him or herself during the the ninety days aforesaid, the failure to do so shall not authorize another to select the quarter-section containing his improvement, but he may at any time make his selection thereof, subject to having his boundaries made to conform to legal divisions as aforesaid. Those prevented from selecting in ninety days may select afterwards.

Selections after
transfer of land
records.

ART. XXXV. Should the selections aforesaid not be made before the transfer of the land records to the executive authorities of said nations, respectively, they shall be made according to such regulations as the legislative authorities of the two nations, respectively, may prescribe, to the end that full justice and equity may be done to the citizens of the respective Territories.

Selected land
abandoned for
seven years, ex-
cept, &c., may be
rented, &c.

ART. XXXVI. Should any land that has been selected under the provisions of this treaty be abandoned and left uncultivated for the space of seven years by the party selecting the same, or his heirs, except in the case of infants under the age of twenty-one years, or married women, or persons non compos mentis, the legislative authorities of the nation where such land lies may either rent the same for the benefit of those interested, or dispose of the same otherwise for their benefit, and may pass all laws necessary to give effect to this provision.

Inconsistent
treaty provisions
declared null.

ART. LI. It is further agreed that all treaties and parts of treaties inconsistent herewith be, and the same are hereby, declared null and void. (b)

(a) See Nos. 1121, 1730, 1731, 1732, 1734, 1735, 1736, 1737, 1738, 1739.

(b) See Nos. 1716, 1717, 1729, 1730.

July 25, 1866.
Vol. 14, p. 236.

No. 1734.—AN ACT granting lands to the State of Kansas to aid in the construction of the Kansas and Neosho Valley Railroad and its extension to Red River.

[Right of way granted through the Indian Territory where such right is reserved to the United States. See KANSAS, No. 2022.]

July 26, 1866.
Vol. 14, p. 289.

No. 1735.—AN ACT granting lands to the State of Kansas to aid in the construction of a southern branch of the Union Pacific Railway and Telegraph, from Fort Riley, Kansas, to Fort Smith, Arkansas.

[Right of way, &c., granted through Indian Territory. See KANSAS, No. 2023.]

July 27, 1866.
Vol. 14, p. 292.

No. 1736.—AN ACT granting lands to aid in the construction of a railroad and telegraph line from the States of Missouri and Arkansas to the Pacific coast.

[Authorized to construct railroad through Indian Territory. See MISSOURI, No. 1121.]

July 19, 1866.
Proclamation,
Aug. 11, 1866.
Vol. 14, p. 799.

No. 1737.—TREATY between the United States of America and the Cherokee nation of Indians.

Right of way
for railroads.

ART. XI. The Cherokee nation hereby grant a right of way not exceeding two hundred feet wide, except at stations, switches, water-stations, or crossing of rivers, where more may be indispensable to the full enjoyment of the franchise herein granted, and then only two hundred additional feet shall be taken, and only for such length as may be absolutely necessary, through all their lands, to any company or corporation which shall be duly authorized by Congress to construct a railroad from any point north to any part south, and from any point east to any point west of, and which may pass through, the Cherokee nation. Said company or corporation, and their employes and laborers, while constructing and repairing the same, and in operating the said road or roads, including all necessary agents on the line, at stations, switches, water-tanks, and all others necessary to the successful operation of a railroad, shall be protected in the discharge of their duties, and at all times subject to the Indian intercourse laws, now or which may hereafter be enacted and be in force in the Cherokee nation. (a)

Lands for mis-
sionary and
educational pur-
poses.

ART. XIV. The right to the use and occupancy of a quantity of land not exceeding one hundred and sixty acres, to be selected according to legal subdivisions in one body, and to include their improvements, and not including the improvements of any member of the Cherokee nation, is hereby granted to every society or denomination which has erected, or which with the consent of the national council may hereafter erect, buildings within the Cherokee country for missionary or educational purposes. But no land thus granted, nor buildings which have been or may be erected thereon, shall ever be sold or [o]therwise disposed of ex-

cept with the consent and approval of the Cherokee national council and the Secretary of the Interior. And whenever any such lands or buildings shall be sold or disposed of, the proceeds thereof shall be applied by said society or societies for like purposes within said nation, subject to the approval of the Secretary of the Interior.

* * * * *

ART. XVI. The United States may settle friendly Indians in any part of the Cherokee country west of 96°, to be taken in a compact form in quantity not exceeding one hundred and sixty acres for each member of each of said tribes thus to be settled; the boundaries of each of said districts to be distinctly marked, and the land conveyed in fee-simple to each of said tribes to be held in common or by their members in severalty as the United States may decide. Where the United States may settle friendly Indians.

Said lands thus disposed of to be paid for to the Cherokee nation at such price as may be agreed on between the said parties in interest, subject to the approval of the President; and if they should not agree, then the price to be fixed by the President. Lands.

The Cherokee nation to retain the right of possession of and jurisdiction over all of said country west of 96° of longitude until thus sold and occupied, after which their jurisdiction and right of possession to terminate forever as to each of said districts thus sold and occupied. Possession and jurisdiction over such lands.

ART. XVII. The Cherokee nation hereby cedes, in trust to the United States, the tract of land in the State of Kansas which was sold to the Cherokees by the United States, under the provisions of the second article of the treaty of 1835; and also that strip of the land ceded to the nation by the fourth article of said treaty which is included in the State of Kansas, and the Cherokees consent that said lands may be included in the limits and jurisdiction of the said State. Cession of lands in Kansas to United States in trust.

The lands herein ceded shall be surveyed as the public lands of the United States are surveyed, under the direction of the Commissioner of the General Land Office, and shall be appraised by two disinterested persons, one to be designated by the Cherokee national council and one by the Secretary of the Interior, and, in case of disagreement, by a third person, to be mutually selected by the aforesaid appraisers. The appraisement to be not less than an average of one dollar and a quarter per acre, exclusive of improvements. To be surveyed and appraised.

And the Secretary of the Interior shall, from time to time, as such surveys and appraisements are approved by him, after due advertisements for sealed bids, sell such lands to the highest bidders for cash, in parcels not exceeding one hundred and sixty acres, and at not less than the appraised value: *Provided*, That whenever there are improvements of the value of fifty dollars made on the lands not being mineral, and owned and personally occupied by any person for agricultural purposes at the date of the signing hereof, such person so owning, and in person residing on such improvements, shall, after due proof, made under such regulations as the Secretary of the Interior may prescribe, be entitled to buy, at the appraised value, the smallest quantity of land in legal subdivisions, which will include his improvements, not exceeding in the aggregate one hundred and sixty acres; the expenses of the survey and appraisement to be paid by the Secretary out of the proceeds of sale of said land: *Provided*, That nothing in this article shall prevent the Secretary of the Interior from selling the whole of said lands not occupied by actual settlers at the date of the ratification of this treaty, not exceeding one hundred and sixty acres to each person entitled to pre-emption under the pre-emption laws of the United States, in a body, to any responsible party, for cash, for a sum not less than one dollar per acre. To be sold to highest bidder.

Provided, That whenever there are improvements of the value of fifty dollars made on the lands not being mineral, and owned and personally occupied by any person for agricultural purposes at the date of the signing hereof, such person so owning, and in person residing on such improvements, shall, after due proof, made under such regulations as the Secretary of the Interior may prescribe, be entitled to buy, at the appraised value, the smallest quantity of land in legal subdivisions, which will include his improvements, not exceeding in the aggregate one hundred and sixty acres; the expenses of the survey and appraisement to be paid by the Secretary out of the proceeds of sale of said land: *Provided*, That nothing in this article shall prevent the Secretary of the Interior from selling the whole of said lands not occupied by actual settlers at the date of the ratification of this treaty, not exceeding one hundred and sixty acres to each person entitled to pre-emption under the pre-emption laws of the United States, in a body, to any responsible party, for cash, for a sum not less than one dollar per acre. Provided.

ART. XXI. It being difficult to learn the precise boundary line between the Cherokee country and the States of Arkansas, Missouri, and Kansas, it is agreed that the United States shall, at its own expense, cause the same to be run as far west as the Arkansas, and marked by permanent and conspicuous monuments, by two commissioners, one of whom shall be designated by the Cherokee national council. United States to run boundary between Arkansas and Cherokee country.

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ART. XXVI. The United States guarantee to the people of the Cherokee nation the quiet and peaceable possession of their country and protection against domestic feuds and insurrections, and against hostilities of other tribes. They shall also be protected against inter[r]up- Possession guaranteed to Cherokee nation.

tions or intrusion from all unauthorized citizens of the United States who may attempt to settle on their lands or reside in their territory. In case of hostilities among the Indian tribes, the United States agree that the party or parties commencing the same shall, so far as practicable, make reparation for the damages done.

Rights of United States to establish military posts, &c.

ART. XXVII. The United States shall have the right to establish one or more military posts or stations in the Cherokee nation, as may be deemed necessary for the proper protection of the citizens of the United States lawfully residing therein and the Cherokees and other citizens of the Indian country. But no sutler or other person connected therewith, either in or out of the military organization, shall be permitted to introduce any spirituous, vinous, or malt liquors into the Cherokee nation, except the medical department proper, and by them only for strictly medical purposes. And all persons not in the military service of the United States, not citizens of the Cherokee nation, are to be prohibited from coming into the Cherokee nation, or remaining in the same, except as herein otherwise provided; and it is the duty of the United States Indian agent for the Cherokees to have such persons, not lawfully residing or sojourning therein, removed from the nation, as they now are, or hereafter may be, required by the Indian intercourse laws of the United States.

* * * * *

Provisions of former treaties, not inconsistent, confirmed.

ART. XXXI. All provisions of treaties heretofore ratified and in force, and not inconsistent with the provisions of this treaty, are hereby reaffirmed and declared to be in full force; and nothing herein shall be construed as an acknowledgment by the United States, or as a relinquishment by the Cherokee nation of any claims or demands under the guarantees of former treaties, except as herein expressly provided. (b)

(a) See Nos. 1121, 1730, 1731, 1732, 1733, 1734, 1735, 1736, 1738, 1739.

(b) See Nos. 1715, 1718, 1724, 1728, 1750.

June 14, 1866.
Proclamation,
Aug. 11, 1866.
Vol. 14, p. 785.

No. 1738.—TREATY of cession and indemnity concluded at the city of Washington on the fourteenth day of June, in the year of our Lord one thousand eight hundred and sixty-six, by and between the United States, represented by Dennis N. Cooley, Commissioner of Indian Affairs, Elijah Sella, superintendent of Indian affairs for the southern superintendency, and Col. Ely S. Parker, special commissioner, and the Creek nation of Indians, represented by Ok-tars-sars-harjo, or Sands; Cowe-to-me-co and Che-chu-choe, delegates at large, and D. N. McIntosh and James Smith, special delegates of the Southern Creeks.

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Cession of lands to the United States.

ART. III. In compliance with the desire of the United States to locate other Indians and freedmen thereon, the Creeks hereby cede and convey to the United States, to be sold to and used as homes for such other civilized Indians as the United States may choose to settle thereon, the west half of their entire domain, to be divided by a line running north and south; the eastern half of said Creek lands, being retained by them shall, except as herein otherwise stipulated, be forever set apart as a home for said Creek nation; and in consideration of said cession of the west half of their lands, estimated to contain three millions two hundred and fifty thousand five hundred and sixty acres, the United States agree to pay the sum of thirty (30) cents per acre, amounting to nine hundred and seventy-five thousand one hundred and sixty-eight dollars, in the manner hereinafter provided.

Payments therefor, and mode of payment.

* * * * *

Right of way granted for a railroad.

ART. V. The Creek nation hereby grant a right of way through their lands, to the Choctaw and Chickasaw country, to any company which shall be duly authorized by Congress, and shall, with the express consent and approbation of the Secretary of the Interior, undertake to construct a railroad from any point north of to any point in or south of the Creek country, and likewise from any point on their eastern to their western or southern boundary, but said railroad company, together with all its agents or employes, shall be subject to the laws of the United States relating to intercourse with Indian tribes, and also to such rules and regulations as may be prescribed by the Secretary of the Interior for that purpose, and the Creeks agree to sell to the United States, or any company duly authorized as aforesaid, such lands not legally owned or occupied by a member or members of the Creek nation, lying along the line of said contemplated railroad, not exceeding on each side thereof a

Conditions.

Lands will be sold.

belt or strip of land three miles in width, at such price per acre as may be eventually agreed upon between said Creek nation and the party or parties building said road, subject to the approval of the President of the United States: *Provided, however,* That said land thus sold shall not be reconveyed, leased, or rented to, or be occupied by any one not a citizen of the Creek nation, according to its laws and recognized usages: *Provided, also,* That officers, servants, and employes of said railroad necessary to its construction and management, shall not be excluded from such necessary occupancy, they being subject to the provisions of the Indian intercourse law and such rules and regulations as may be established by the Secretary of the Interior, nor shall any conveyance of any of said lands be made to the party building and managing said road until its completion as a first-class railroad, and its acceptance as such by the Secretary of the Interior. (a) Proviso.

ART. VII. The Creeks hereby agree that the Seminole tribe of Indians may sell and convey to the United States all or any portion of the Seminole lands, upon such terms as may be mutually agreed upon by and between the Seminoles and the United States. Seminoles may convey to the United States.

ART. VIII. It is agreed that the Secretary of the Interior forthwith cause the line dividing the Creek country, as provided for by the terms of the sale of Creek lands to the United States in article third of this treaty, to be accurately surveyed under the direction of the Commissioner of Indian Affairs, the expenses of which survey shall be paid by the United States. Line dividing the Creek country to be surveyed.

ART. XIII. A quantity of land not exceeding one hundred and sixty acres, to be selected according to legal subdivisions, in one body, and to include their improvements, is hereby granted to every religious society or denomination which has erected, or which, with the consent of the Indians, may hereafter erect buildings within the Creek country for missionary or educational purposes; but no land thus granted nor the buildings which have been nor may be erected thereon shall ever be sold or otherwise disposed of, except with the consent and approval of the Secretary of the Interior; and whenever any such lands or buildings shall be so sold or disposed of, the proceeds thereof shall be applied, under the direction of the Secretary of the Interior, to the support and maintenance of other similar establishments for the benefit of the Creeks and such other persons as may be or may hereafter become members of the tribe according to its laws, customs, and usages; and if at any time said improvements shall be abandoned for one year for missionary or educational purposes, all the rights herein granted for missionary and educational purposes shall revert to the said Creek nation. Lands granted for missionary or educational purposes; not to be sold, except, &c.; when sold, proceeds to be how applied.

ART. XIV. It is further agreed that all treaties heretofore entered into between the United States and the Creek nation which are inconsistent with any of the articles or provisions of this treaty shall be, and are hereby, rescinded and annulled. (b) Inconsistent treaty provisions annulled.

(a) See Nos. 1121, 1730, 1731, 1732, 1733, 1734, 1735, 1736, 1737, 1739.
(b) See Nos. 1720, 1725, 1731, 1750, 1752.

No. 1739.—ARTICLES of a treaty made and concluded at Washington, D. C., March 21, A. D. 1866, between the United States Government, by its commissioners, D. N. Cooley, Commissioner of Indian Affairs, Elijah Sells, Superintendent of Indian Affairs, and Ely S. Parker, and the Seminole Indians, by their chiefs, John Chup-co, or Long John, Cho-cote-harjo, Fos-ha[r]-jo, John F. Brown. March 21, 1866. Proclamation, Aug. 16, 1866, Vol. 14, p. 755.

ART. III. In compliance with the desire of the United States to locate other Indians and freedmen thereon, the Seminoles cede and convey to the United States their entire domain, being the tract of land ceded to the Seminole Indians by the Creek nation under the provisions of article first, treaty of the United States with the Creeks and Seminoles, made and concluded at Washington, D. C., August 7, 1856. In consideration of said grant and session of their lands, estimated at two million one hundred and sixty-nine thousand and eighty acres, the United States agree to pay said Seminole nation the sum of three hundred and twenty-five thousand three hundred and sixty-two dollars, said purchase being at the rate of fifteen cents per acre. The United States having obtained by grant of the Creek nation the westerly half Cession of lands to the United States. Payment by the United States. Grant to the Seminoles.

Boundaries.	<p>of their lands, hereby grant to the Seminole nation the portion thereof hereafter described, which shall constitute the national domain of the Seminole Indians. Said lands so granted by the United States to the Seminole nation are bounded and described as follows, to wit: Beginning on the Canadian River where the line dividing the Creek lands according to the terms of their sale to the United States by their treaty of February 6, 1866, following said line due north to where said line crosses the north fork of the Canadian River; thence up said north fork of the Canadian River a distance sufficient to make two hundred thousand acres by running due south to the Canadian River; thence down said Canadian River to the place of beginning. In consideration of said cession of two hundred thousand acres of land described above, the Seminole nation agrees to pay therefor the price of fifty cents per acre, amounting to the sum of one hundred thousand dollars, which amount shall be deducted from the sum paid by the United States for Seminole lands under the stipulations above written.</p>
Payment therefor.	
Right of way for railroad granted through the land of the Seminoles.	<p>ART. V. The Seminole nation hereby grant a right of way through their lands to any company which shall be duly authorized by Congress, and shall, with the express consent and approbation of the Secretary of the Interior, undertake to construct a railroad from any point on their eastern to their western or southern boundary; but said railroad company, together with all its agents and employes, shall be subject to the laws of the United States relating to the intercourse with Indian tribes, and also to such rules and regulations as may be prescribed by the Secretary of the Interior, for that purpose. And the Seminoles agree to sell to the United States, or any company duly authorized as aforesaid, such lands not legally owned or occupied by a member or members of the Seminole nation lying along the line of said contemplated railroad, not exceeding on each side thereof a belt or strip of land three miles in width, at such price per acre as may be eventually agreed upon between said Seminole nation and the party or parties building said road—subject to the approval of the President of the United States: <i>Provided, however,</i> That said land thus sold shall not be reconveyed, leased, or rented to, or be occupied by, any one not a citizen of the Seminole nation, according to its laws and recognized usages: <i>Provided, also,</i> That officers, servants, and employes of said railroad necessary to its construction and management shall not be excluded from such necessary occupancy, they being subject to the provisions of the Indian intercourse laws, and such rules and regulations as may be established by the Secretary of the Interior; nor shall any conveyance of said lands be made to the party building and managing said road, until its completion as a first class railroad and its acceptance as such by the Secretary of the Interior. (a)</p>
Lands will be sold.	
Proviso.	
Land granted for missionary or educational purposes.	<p>ART. X. A quantity of land not exceeding six hundred and forty acres, to be selected according to legal subdivisions, in one body, and which shall include their improvements, is hereby granted to every religious society or denomination which has erected, or which, with the consent of the Indians, may hereafter erect, buildings within the Seminole country for missionary or educational purposes; but no land thus granted, nor the buildings which have been or may be erected thereon, shall ever be sold or otherwise disposed of except with the consent and approval of the Secretary of the Interior. And whenever any such land or buildings shall be sold or disposed of, the proceeds thereof shall be applied, under the direction of the Secretary of the Interior, to the support and maintenance of other similar establishments for the benefit of the Seminoles and such other persons as may be, or may hereafter become, members of the tribe according to its laws, customs, and usages.</p>
Not to be sold, except, &c.	
When sold, proceeds to be how applied.	
Inconsistent treaty provisions annulled.	<p>ART. XI. It is further agreed that all treaties heretofore entered into between the United States and the Seminole nation which are inconsistent with any of the articles or provisions of this treaty shall be, and are hereby, rescinded and annulled. (b)</p>

(a) See Nos. 1121, 1730, 1731, 1732, 1733, 1734, 1735, 1736, 1737, 1738

(b) See Nos. 1725, 1731, 1750, 1752

No. 1740.—ARTICLES of agreement concluded at Washington, D. C., on the twenty-seventh day of February, 1867, between the United States, represented by Lewis V. Bogy, Commissioner of Indian Affairs, W. H. Watson, special commissioner, Thos. Murphy, Sup't of Indian Affairs for Kansas, and Luther R. Palmer, U. S. Indian agent, duly authorized, and the Pottawatomie tribe of Indians, represented by their chiefs, braves, and head-men, to wit: Mazhee, Mianco, Shawgwe, B. H. Bertrand, J. N. Bourassa, M. B. Beaubien, L. H. Ogee, and G. L. Young.

Feb. 27, 1867.
Proclamation,
Aug. 7, 1868.
Vol. 15, p. 531.

Whereas the Pottawatomies believe that it is for the interest of their tribe that a home should be secured for them in the Indian country south of Kansas, while there is yet an opportunity for the selection of a suitable reservation; and whereas the tribe has the means of purchasing such reservation from funds to arise from the sale of lands under the provisions of this treaty, without interfering with the exclusive rights of those of their people who hold their lands in common to the ownership of their diminished reserve, held by them in common, or with their right to receive their just proportion of the moneys arising from the sale of unallotted lands, known as surplus lands: Now, therefore, it is agreed—

Preamble.

ARTICLE I. It being the intention of the Government that a commission shall visit the Indian country as soon as practicable after the ratification of the treaties contemplating the removal of certain tribes from Kansas, accompanied by delegates from the several tribes proposing to remove, it is agreed that a delegation of the Pottawatomies may accompany said commission in order to select, if possible, a suitable location for their people without interfering with the locations made for other Indians; and if such location shall be found satisfactory to the Pottawatomies, and approved by the Secretary of the Interior, such tract of land, not exceeding thirty miles square, shall be set apart as a reservation for the exclusive use and occupancy of that tribe; and upon the survey of its lines and boundaries, and ascertaining of its area, and payment to the United States for the same, as hereinafter mentioned and set forth, the said tract shall be patented to the Pottawatomie nation: *Provided*, That if the said Pottawatomies shall prefer to select a new home among the Cherokees, by agreement with the said Cherokees for a price within the means of the Pottawatomies, the Government will confirm such agreement.

Commission to
select a reserva-
tion.

Extent of reser-
vation.

Proviso.

ART. II. In case the new reservation shall be selected upon the lands purchased by the Government from the Creeks, Seminoles, or Choctaws, the price to be paid for said reservation shall not exceed the cost of the same to the Government of the United States; and the sum to be paid by the tribe for said reservation shall be taken from the amount which may be received for the lands which were offered for sale to the Leavenworth, Pawnee, and Western Railroad Company, under the treaty dated November fifteen, eighteen hundred and sixty-one, which amount shall be the common property of the tribe, except the Prairie band, who shall have no interest in said reservation, to be purchased as aforesaid, but in lieu thereof shall receive their pro rata share of the proceeds of the sale of said land in money, as the same may be received: *Provided*, That if the United States shall advance the amount necessary to purchase the said reservation, the interest due upon the deferred payments for said lands, sold as hereinafter provided, shall, when received by the United States, be retained and credited to said tribe interested in said reservation, or so much of said interest as may be due said tribe under this treaty: *And provided further*, That the Leavenworth, Pawnee and Western Railroad Company, their successors and assigns, having failed to purchase said lands, the Atchison, Topeka and Santa Fé Railroad Company may, within thirty days after the promulgation of this treaty, purchase of the said Pottawatomies their said unallotted lands, except as hereinafter provided, to St. Mary's mission, at the price of one dollar per acre, lawful money of the United States, and upon filing their bond for the purchase and payment of said lands in due form, to be approved by the Secretary of the Interior within the time above named, the said Secretary of the Interior shall issue to the last-named railroad company certificates of purchase, and such certificates of purchase shall be deemed and holden, in all courts, as evidence of title and possession in the said railroad company to all or any part of said lands, unless the same shall be forfeited as herein provided. The said purchase-money shall be paid to the Secretary of the Interior in trust for said Indians within five years from the date of such purchase, with interest at the rate of six per cent per annum on all deferred payments, until the whole purchase money shall have been paid; and before any patents shall issue

Price of reser-
vation, &c.

Prairie band.

Proviso.

Atchison, &c.,
Railroad Com-
pany may pur-
chase the lands
if, &c.

Conditions and
terms of pur-
chase and pay-
ment.

for any part of said lands, one hundred thousand dollars shall be deposited with the Secretary of the Interior, to be forfeited in case the whole of the lands are not paid for as herein provided; (said money may be applied as the payment for the last one hundred thousand acres of said land;) payments shall also be made for at least one-fourth of said unallotted lands at the rate of one dollar per acre, and when so paid the President is authorized hereby to issue patents for the land so paid for; and then for every additional part of said land upon payment of one dollar per acre. The interest on said purchase money shall be paid annually to the Secretary of the Interior for the use of said Indians. If the said company shall fail to pay the principal when the same shall become due, or to pay all or any part of the interest upon such purchase money within thirty days after the time when such payment of interest shall fall due, then this contract shall be deemed and held absolutely null and void, and cease to be binding upon either of the parties thereto, and said company and its assigns shall forfeit all payments of principal and interest made on such purchase, and all right and title, legal and equitable, of any kind whatsoever, in and to all and every part of said lands which shall not have been, before the date of such forfeiture, paid for as herein provided: *Provided, however,* That in case any of said lands have been conveyed to bona-fide purchasers by said Atchison, Topeka and Santa Fé Railroad Company, such purchasers shall be entitled to patents for said land so purchased by them upon the payment of one dollar and twenty-five cents per acre therefor, under such rules and regulations as may be prescribed by the Secretary of the Interior.

Reservation not
to be included in
any State, &c.

ART. III. After such reservation shall have been selected and set apart for the Pottawatomies, it shall never be included within the jurisdiction of any State or Territory, unless an Indian Territory shall be organized, as provided for in certain treaties made in eighteen hundred and sixty-six with the Choctaws and other tribes occupying the "Indian country"; in which case, or in case of the organization of a legislative council or other body, for the regulation of matters affecting the relations of the tribes to each other, the Pottawatomies resident thereon shall have the right to representation, according to their numbers, on equal terms with other tribes. (a)

(a) See No. 1749.

Oct. 28, 1867.
Proclamation,
Aug. 19, 1868.
Vol. 15, p. 593.

No. 1741.—ARTICLES of a treaty and agreement made and entered into at the council camp on Medicine Lodge Creek, seventy miles south of Fort Larned, in the State of Kansas, on the twenty-eighth day of October, eighteen hundred and sixty-seven, by and between the United States of America, represented by its commissioners duly appointed thereto, to wit: Nathaniel G. Taylor, William S. Harney, C. C. Auger, Alfred H. Terry, John B. Sanborn, Samuel F. Tappan and John B. Henderson, of the one part, and the Cheyenne and Arapahoe tribes of Indians, represented by their chiefs and head-men duly authorized and empowered to act for the body of the people of said tribes—the names of said chiefs and head-men being hereto subscribed—of the other part, witness:—

Reservation.

Boundaries.

Who not to re-
side thereon, &c.

Reservation to
be enlarged if
&c.

ART. II. The United States agrees that the following district of country, to wit: commencing at the point where the Arkansas River crosses the 37th parallel of north latitude, thence west, on said parallel—the said line being the southern boundary of the State of Kansas—to the Cimarrone River (sometimes called the Red Fork of the Arkansas River), thence down said Cimarrone River, in the middle of the main channel thereof, to the Arkansas River; thence up the Arkansas River, in the middle of the main channel thereof, to the place of beginning, shall be and the same is hereby set apart for the absolute and undisturbed use and occupation of the Indians herein named, and for such other friendly tribes or individual Indians, as from time to time they may be willing, with the consent of the United States, to admit among them; and the United States now solemnly agrees that no persons except those herein authorized so to do, and except such officers, agents, and employés of the Government as may be authorized to enter upon Indian reservations in discharge of duties enjoined by law, shall ever be permitted to pass over, settle upon, or reside in the territory described in this article, or in such territory as may be added to this reservation for the use of said Indians.

ART. III. If it should appear from actual survey or other examination of said tract of land, that it contains less than one hundred and sixty acres of tillable land for each person, who at the time may be authorized to reside on it, under the provisions of this treaty, and a

very considerable number of such persons shall be disposed to commence cultivating the soil as farmers, the United States agrees to set apart for the use of said Indians as herein provided, such additional quantity of arable land adjoining to said reservation, or as near the same as it can be obtained, as may be required to provide the necessary amount.

ART. VI. If any individual, belonging to said tribes of Indians, or legally incorporated with them, being the head of a family, shall desire to commence farming, he shall have the privilege to select, in the presence and with the assistance of the agent then in charge, a tract of land within said reservation not exceeding three hundred and twenty acres in extent, which tract when so selected, certified, and recorded in the land book as herein directed, shall cease to be held in common, but the same may be occupied and held in the exclusive possession of the person selecting it, and of his family, so long as he or they may continue to cultivate it. Any person over eighteen years of age, not being the head of a family, may in like manner select and cause to be certified to him, or her, for purposes of cultivation, a quantity of land not exceeding eighty acres in extent, and thereupon be entitled to the exclusive possession of the same as above directed.

Heads of families desiring to commence farming, may select lands, &c.

Effect of such selection, &c.

Persons not heads of families.

For each tract of land so selected, a certificate containing a description thereof, and the name of the person selecting it, with a certificate endorsed thereon, that the same has been recorded, shall be delivered to the party entitled to it by the agent, after the same shall have been recorded by him in a book to be kept in his office, subject to inspection, which said book shall be known as the "Cheyenne and Arapahoe land book." The President may at any time order a survey of the reservation, and, when so surveyed, Congress shall provide for protecting the rights of settlers in their improvements, and may fix the character of the title held by each.

Certificate of selection to be delivered, &c. To be recorded.

Survey.

The United States may pass such laws on the subject of alienation and descent of property, and on all subjects connected with the government of the Indians on said reservations, and the internal police thereof as may be thought proper.

Alienation and descent of property.

ART. XI. In consideration of the advantages and benefits conferred by this treaty, and the many pledges of friendship by the United States, the tribes who are parties to this agreement hereby stipulate that they will relinquish all right to occupy permanently the territory outside of their reservation as herein defined, but they yet reserve the right to hunt on any lands south of the Arkansas so long as the buffalo may range thereon in such numbers as to justify the chase; and no white settlements shall be permitted on any part of the lands contained in the old reservation as defined by the treaty made between the United States and the Cheyenne, Arapahoe, and Apache tribes of Indians, at the mouth of the Little Arkansas, under date of October fourteenth, eighteen hundred and sixty-five, within three years from this date.

Lands outside of reservation relinquished to the United States.

Right to hunt reserved.

Limit to white settlements.

ART. XII. No treaty for the cession of any portion or part of the reservation herein described, which may be held in common, shall be of any validity or force as against the said Indians unless executed and signed by at least three-fourths of all the adult male Indians occupying or interested in the same; and no cession by the tribe shall be understood or construed in such manner as to deprive without his consent, any individual member of the tribe of his rights to any tract of land selected by him as provided by Article VI. of this treaty. (a)

Cession of reservation not to be valid, unless, &c.

(a) See No. 1746, 1750.

No. 1742.—ARTICLES of a treaty and agreement made and entered into at the council camp, on Medicine Lodge Creek, seventy miles south of Fort Larned, in the State of Kansas, on the twenty-first day of October, one thousand eight hundred and sixty-seven, by and between the United States of America, represented by its commissioners duly appointed thereto, to wit, Nathaniel G. Taylor, William S. Harney, C. C. Augur, Alfred S. [H.] Terry, John D. Sanborn, Samuel F. Tappan, and J. B. Henderson, of the one part, and the confederated tribes of Kiowa and Comanche Indians, represented by their chiefs and head-men, duly authorized and empowered to act for the body of the people of said tribes, (the names of said chiefs and head-men being hereto subscribed,) of the other part, witness:

Oct. 21, 1867.
Proclamation,
Aug. 25, 1868.
Vol. 15, p. 581.

ART. II. The United States agrees that the following district of country, to wit: commencing at a point where the Washita River crosses the 98th meridian, west from Greenwich; thence up the Washita River, in

Reservation.
Boundaries.

the middle of the main channel thereof, to a point thirty miles, by river, west of Fort Cobb, as now established; thence, due west to the north fork of Red River, provided said line strikes said river east of the one hundredth meridian of west longitude; if not, then only to said meridian line, and thence south, on said meridian line, to the said north fork of Red River; thence down said north fork, in the middle of the main channel thereof, from the point where it may be first intersected by the lines above described, to the main Red River; thence down said river, in the middle of the main channel thereof to its intersection with the ninety-eighth meridian of longitude west from Greenwich; thence north, on said meridian line, to the place of beginning, shall be and the same is hereby set apart for the absolute and undisturbed use and occupation of the tribes herein named, and for such other friendly tribes or individual Indians, as, from time to time, they may be willing with the consent of the United States to admit among them; and the United States now solemnly agrees that no persons except those herein authorized so to do and except such officers, agents, and employes of the Government as may be authorized to enter upon Indian reservation in discharge of duties enjoined by law, shall ever be permitted to pass over, settle upon, or reside in the territory described in this article, or in such territory as may be added to this reservation, for the use of said Indians.

Certain persons not to enter or reside thereon.

Additional arable land to be added, if, &c.

ART. III. If it should appear from actual survey or other satisfactory examination of said tract of land, that it contains less than one hundred and sixty acres of tillable land, for each person, who at the time may be authorized to reside on it under the provisions of this treaty, and a very considerable number of such persons shall be disposed to commence cultivating the soil as farmers, the United States agrees to set apart for the use of said Indians, as herein provided, such additional quantity of arable land adjoining to said reservation, or as near the same as it can be obtained, as may be required to provide the necessary amount.

* * * * *

Heads of families may select land for farming.

ART. VI. If any individual belonging to said tribes of Indians, or legally incorporated with them, being the head of a family, shall desire to commence farming, he shall have the privilege to select, in the presence and with the assistance of the agent then in charge, a tract of land within said reservation, not exceeding three hundred and twenty acres in extent, which tract, when so selected, certified, and recorded in the "land book" as herein directed, shall cease to be held in common, but the same may be occupied and held in the exclusive possession of the person selecting it, and of his family so long as he or they may continue to cultivate it. Any person over eighteen years of age, not being the head of a family, may in like manner select and cause to be certified to him or her, for purposes of cultivation, a quantity of land not exceeding eighty acres in extent, and thereupon, be entitled to the exclusive possession of the same as above directed. For each tract of land so selected, a certificate, containing a description thereof and the name of the person selecting it, with a certificate indorsed thereon that the same has been recorded, shall be delivered to the party entitled to it, by the agent, after the same shall have been recorded by him in a book to be kept in his office, subject to inspection, which said book shall be known as the "Kiowa and Comanche land book." The President may, at any time, order a survey of the reservation, and, when so surveyed, Congress shall provide for protecting the rights of settlers, in their improvements, and may fix the character of the title held by each. The United States may pass such laws, on the subject of alienation and descent of property and on all subjects connected with the government of the said Indians on said reservations, and the internal police thereof, as may be thought proper.

Others may select land for cultivation.

Surveys.

Alienation and descent of property.

* * * * *

Right to occupy territory outside of reservation surrendered.

ART. XI. In consideration of the advantages and benefits conferred by this treaty and the many pledges of friendship by the United States, the tribes who are parties to this agreement hereby stipulate that they will relinquish all right to occupy permanently the territory outside of their reservation, as herein defined, but they yet reserve the right to hunt on any lands south of the Arkansas River, so long as the buffalo may range thereon in such numbers as to justify the chase, and no white settlements shall be permitted on any part of the lands contained in the old reservation as defined by the treaty made between the United States

Right to hunt reserved.

and the Cheyenne, Arapahoe, and Apache tribes of Indians at the mouth of the Little Arkansas, under date of October fourteenth, one thousand eight hundred and sixty-five, within three years from this date. * * *

ART. XII. No treaty for the cession of any portion or part of the reservation herein described, which may be held in common, shall be of any validity or force as against the said Indians, unless executed and signed by at least three-fourths of all the adult male Indians occupying the same, and no cession by the tribe shall be understood or construed in such manner as to deprive, without his consent, any individual member of the tribe of his rights to any tract of land selected by him as provided in Article VI. of this treaty. (a)

No treaty for cession of reservation to be valid unless, &c.

(a) See Nos. 1732, 1743.

No. 1743.—ARTICLES of a treaty concluded at the council camp on Medicine Lodge Creek, seventy miles south of Fort Larned, in the State of Kansas, on the twenty-first day of October, eighteen hundred and sixty-seven, by and between the United States of America, represented by its commissioners duly appointed thereto, to wit: Nathaniel G. Taylor, William S. Harney, C. C. Angur, Alfred S. [H.] Terry, John B. Sanborn, Samuel F. Tappan, and J. B. Henderson, of the one part, and the Kiowa, Comanche, and Apache Indians, represented by their chiefs and head-men duly authorized and empowered to act for the body of the people of said tribes (the names of said chiefs and head-men being hereto subscribed) of the other part, witness:—

Oct. 21, 1867.
Proclamation,
Aug. 25, 1868.
Vol. 15, p. 589.

Whereas, on the twenty-first day of October, eighteen hundred and sixty-seven, a treaty of peace was made and entered into at the council camp, on Medicine Lodge Creek, seventy miles south of Fort Larned, in the State of Kansas, by and between the United States of America, by its commissioners Nathaniel G. Taylor, William S. Harney, C. C. Angur, Alfred H. Terry, John B. Sanborn, Samuel F. Tappan, and J. B. Henderson, of the one part, and the Kiowa and Comanche tribes of Indians, of the Upper Arkansas, by and through their chiefs and head-men whose names are subscribed thereto, of the other part, reference being had to said treaty; and whereas, since the making and signing of said treaty, at a council held at said camp on this day, the chiefs and head-men of the Apache nation or tribe of Indians express to the commissioners on the part of the United States, as aforesaid, a wish to be confederated with the said Kiowa and Comanche tribes, and to be placed, in every respect, upon an equal footing with said tribes; and whereas, at a council held at the same place and on the same day, with the chiefs and headmen of the said Kiowa and Comanche tribes, they consent to the confederation of said Apache tribe, as desired by it, upon the terms and conditions hereinafter set forth in this supplementary treaty: Now, therefore, it is hereby stipulated and agreed by and between the aforesaid commissioners, on the part of the United States, and the chiefs and head-men of the Kiowa and Comanche tribes, and, also, the chiefs and head-men of the said Apache tribe, as follows, to wit:—

Preamble.

ARTICLE I. The said Apache tribe of Indians agree to confederate and become incorporated with the said Kiowa and Comanche Indians, and to accept as their permanent home the reservation described in the aforesaid treaty with said Kiowa and Comanche tribes, concluded as aforesaid at this place, and they pledge themselves to make no permanent settlement at any place, nor on any lands, outside of said reservation.

The Apaches agree to become incorporated with the Kiowas and Comanches.

ART. IV. In consideration of the advantages conferred by this supplementary treaty upon the Apache tribe of Indians, they agree to observe and faithfully comply with all the stipulations and agreements entered into by the Kiowas and Comanches in said original treaty. They agree, in the same manner, to keep the peace toward the whites and all other persons under the jurisdiction of the United States, and to do and perform all other things enjoined upon said tribes by the provisions of said treaty; and they hereby give up and forever relinquish to the United States all rights, privileges, and grants now vested in them, or intended to be transferred to them, by the treaty between the United States and the Cheyenne and Arapahoe tribes of Indians, concluded at the camp on the Little Arkansas River, in the State of Kansas, on the fourteenth day of October, one thousand eight hundred and sixty-five, and also by the supplementary treaty, concluded at the same place on the seventeenth day of the same month, between the United States, of the one part, and the Cheyenne, Arapahoe, and Apache tribes, of the other part. (a)

Apaches to observe stipulations of original treaty.

To keep the peace.

To give up certain rights.

(a) See Nos. 1732, 1742.

Feb. 18, 1867.
Proclamation,
Oct. 14, 1868.
Vol. 15, p. 495.

No. 1744.—ARTICLES of agreement made and concluded this eighteenth day of February, one thousand eight hundred and sixty-seven, between the United States, represented by Lewis V. Bogy, Commissioner of Indian Affairs; William H. Watson, special commissioner; Thomas Murphy, superintendent of Indian affairs for Kansas; and Henry W. Martin, United States Indian agent, duly authorized, and the tribes of Sacs and Foxes of the Mississippi, represented by Keokuk, Chekus-kuk, Uc-quaw-ho-ko, Mut-tut-tah, and Man-ah-to-wah, chiefs of said tribes.

Cession of
lands to United
States.

ARTICLE I. The Sacs and Foxes of the Mississippi cede to the Government of the United States all the lands, with the improvements thereon, contained in their unsold portion of their diminished reserve defined in the first article of their treaty ratified July ninth, one thousand eight hundred and sixty, (the said tract containing about eighty-six thousand and four hundred acres, and being more particularly described by the survey and plats on file in the Department of the Interior,) except as reserved in previous treaties, or in this treaty.

Additional
cession.

ART. II. The said Indians also cede to the United States a full and complete title to the lands, with the improvements thereon, now remaining unsold in that portion of their old reservation provided by article four of the treaty of July ninth, one thousand eight hundred and sixty, to be sold by the Government for their benefit, the cession herein made being subject to the exceptions defined in this treaty.

* * * * *

New reserva-
tion for the Sacs
and Foxes.

ART. VI. The United States agree, in consideration of the improvements upon the said reservation, to give to the Sacs and Foxes for their future home a tract of land in the Indian country south of Kansas, and south of the Cherokee lands, not exceeding seven hundred and fifty

How to be se-
lected.

square miles in extent. The selection of such new reservation shall be made under the direction of the Secretary of the Interior, and with his approval, by commissioners appointed by the said Secretary, who shall visit the Indian country, with delegations from all the tribes proposing to remove thereto, as soon as practicable after the ratifica-

How surveyed.

tion of this treaty; and said reservation shall be surveyed as to its exterior lines, at the cost of the United States, under the direction of the Commissioner of Indian Affairs, not to exceed three thousand dollars:

proviso.

Provided, That if it shall be found impracticable to select a suitable home for the tribe except by purchase from the Cherokees, the United States will pay towards the said purchase the same amount that would have been payable to the Creeks if the reservation had been selected upon the former Creek lands; and in that case the balance of the money payable to the Cherokees shall be deducted from the amount due the Sacs and Foxes under this treaty. (a)

* * * * *

(a) See No. 1752.

Feb. 23, 1867.
Proclamation,
Oct. 14, 1869.
Vol. 15, p. 513.

No. 1745.—ARTICLES of agreement, concluded at Washington, D. C., the twenty-third day of February, one thousand eight hundred and sixty-seven, between the United States, represented by Lewis V. Bogy, Commissioner of Indian Affairs, W. H. Watson, special commissioner, Thomas Murphy, Superintendent of Indian Affairs, George C. Snow, and G. A. Colton, U. S. Indian agents, duly authorized, and the Senecas, represented by George Spicer and John Mush; the mixed Senecas and Shawnees, by John Whitetree, John Young, and Lewis Davis; the Quapaws, by S. G. Vallier and Ka-zhe-cah; the confederated Peorias, Kaskaskias, Weas, and Piankeshaws, by Baptiste Peoria, John Mitchell, and Edward Black; the Miamies, by Thomas Metosenyah and Thomas Richardville, and the Ottawas of Blanchard's Fork and Roche de Boeuf, by John White and J. T. Jones, and including certain Wyandott[e]s, represented by Tauromee, or John Hat, and John Karaho.

Preamble.

Whereas it is desirable that arrangements should be made by which portions of certain tribes, parties hereto, now residing in Kansas, should be enabled to remove to other lands in the Indian country south of that State, while other portions of said tribes desire to dissolve their tribal relations and become citizens; and whereas it is necessary to provide certain tribes, parties hereto, now residing in the Indian country, with means of rebuilding their houses, reopening their farms, and supporting their families, they having been driven from their reservations early in the late war, and suffered greatly for several years, and being willing to sell a portion of their lands to procure such relief; and whereas a portion of the Wyandottes, parties to the treaty of one thousand eight hundred and fifty-five, although taking lands in severalty, have sold said lands and are still poor, and have not been compelled to become citizens, but have remained without clearly recognized organization, while others who did become citizens are unfitted for the responsibilities of citizenship; and whereas the Wyandottes, treated with in

eighteen hundred and fifty-five, have just claims against the Government, which will enable the portion of their people herein referred to to begin anew a tribal existence: Therefore it is agreed:

ARTICLE I. The Senecas cede to the United States a strip of land on the north side of their present reservation in the Indian country; the land so ceded to be bounded on the east by the State of Missouri, on the north by the north line of the reservation, on the west by the Neosho River, and running south for the necessary distance, to contain twenty thousand acres; for which the Government is to pay twenty thousand dollars upon the ratification of this treaty; the south line of said tract to be ascertained by survey, at the cost of the United States. Cession of lands to the United States by the Senecas, &c.

ART. II. The Senecas now confederated with the Shawnees, and owning an undivided half of a reservation in the Indian country immediately north of the Seneca reservation mentioned in the preceding article, cede to the United States one-half of said Seneca and Shawnee reserve, which it is mutually agreed shall be the north half, bounded on the east by the State of Missouri, north by the Quapaw reserve, west by the Neosho River, and south by an east and west line bisecting the present Seneca and Shawnee reserve into equal parts, the said line to be determined by survey, at the expense of the United States; for which tract of land, estimated to contain about thirty thousand acres, the United States will pay the sum of twenty-four thousand dollars. (a) Further cession.

ART. III. The Shawnees, heretofore confederated with the Senecas, cede to the United States that portion of their remaining lands, bounded as follows, beginning at a point where Spring River crosses the south line of the tract in the second article ceded to the United States, thence down said river to the south line of the Shawnee reserve, thence west to the Neosho River, thence up said river to the south line of the tract ceded in the second article, and thence east to the place of beginning; supposed to contain about twelve thousand acres, the area to be ascertained by survey, at the expense of the United States; the United States to pay for the same at the rate of one dollar per acre, as soon as the area shall be ascertained. (b) Cession of lands to the United States by the Shawnees.

ART. IV. The Quapaws cede to the United States that portion of their land lying in the State of Kansas, being a strip of land on the north line of their reservation, about one-half mile in width, and containing about twelve sections in all, excepting therefrom one half-section to be patented to Samuel G. Vallier, including his improvements. Also the further tract within their present reserve, bounded as follows: Beginning at a point in the Neosho River where the south line of the Quapaw reserve strikes that stream, thence east three miles, thence north to the Kansas boundary line, thence west on said line to the Neosho River, thence down said river to the place of beginning; and the United States will pay to the Quapaws for the half-mile strip lying in Kansas at the rate of one dollar and twenty-five cents per acre, whenever the area of the same shall be ascertained; and for the other tract described in this article at the rate of one dollar and fifteen cents per acre, whenever the area of the same shall be ascertained by survey, said survey to be made at the cost of the tribe to which said tract is herein provided to be sold under the pre-emption laws of the United States; but all such pre-emption shall be paid in the money of the United States, at the proper land office, within one year from the date of entry and settlement. (c) By the Quapaws.

ART. XIII. The United States will set apart for the Wyandottes, for their future home, the land ceded by the Senecas in the first article hereof, and described in said article, to be owned by the said Wyandottes in common. Land set apart for the Wyandottes.

ART. XV. All restrictions upon the sale of lands assigned and patented to "incompetent" Wyandott[e]s under the fourth article of the treaty of one thousand eight hundred and fifty-five, shall be removed after the ratification of this treaty, but no sale of lands heretofore assigned to orphans or incompetents shall be made, under decree of any court, or otherwise, for or on account of any claim, judgment, execution or order, or for taxes, until voluntarily sold by the patentee or his or her heirs, with the approval of the Secretary of the Interior; and whereas many sales of land belonging to this class have heretofore been made, contrary to the spirit and intent of the treaty of one thousand eight hundred and fifty-five, it is agreed that a thorough examination and report Certain restrictions upon sales of lands removed.

shall be made, under direction of the Secretary of the Interior, in order to ascertain the facts relating to all such cases, and upon a full examination of such report, and hearing of the parties interested, the said Secretary may confirm the said sales, or require an additional amount to be paid, or declare such sales entirely void, as the very right of the several cases may require.

Sale of land to
the Ottawas.
Payment.

ART. XVI. The west part of the Shawnee reservation, ceded to the United States by the third article, is hereby sold to the Ottawas at one dollar per acre; and for the purpose of paying for said reservation the United States shall take the necessary amount, whenever the area of such land shall be found by actual survey, from the funds in the hands of the Government arising from the sale of the Ottawa trust lands, as provided in the ninth article of the treaty of one thousand eight hundred and sixty-two, and the balance of said fund, after the payment of accounts provided for in article five of the treaty of one thousand eight hundred and sixty-two, shall be paid to the tribe per capita.

* * * * *

Sale of lands to
Ottawa Univer-
sity.

ART. XX. It is further agreed that the remaining unsold portion of trust lands of the Ottawas, amounting to seven thousand two hundred and twenty-one and twenty-one hundredths acres, shall be sold to the trustees of Ottawa University, to be disposed of for the benefit of said institution at the appraised value thereof, and that the said trustees shall have until July sixteenth, one thousand eight hundred and sixty-nine, to dispose of the same and pay to the Government the value of said lands: *Provided*, That the said trustees shall furnish, within thirty days after the ratification of this treaty, to the Secretary of the Interior, a satisfactory bond for the fulfilment of their obligations.

Purchasers of
land from the
Peorias, &c., to
receive patents.

ART. XXI. Whereas certain arrangements have been made by the chiefs of the confederated tribes of Peorias, Kaskaskias, Weas, and Piankeshaws, for the sale to actual settlers of the lands held by them in common, being nine and one-half sections, for a reasonable consideration, according to the terms of a certain petition of the said tribe, with schedule annexed, (which schedule is annexed to this treaty and marked "B,") dated December twenty-sixth, one thousand eight hundred and sixty-six, filed in the office of the Commissioner of Indian Affairs, it is agreed that the said arrangements shall be carried into full effect, and the purchasers thereunder shall receive patents from the United States for the lands so purchased, upon making full payment for the same to the Secretary of the Interior, and the amount already paid by said purchasers, as appears from said schedule, and in the hands of the chiefs, shall be paid to the Secretary of the Interior, and the whole amount of the purchase money shall also be paid to the said Secretary on or before the first day of June, one thousand eight hundred and sixty-seven, and shall be held by him for the benefit of the tribe, subject to the provisions of this treaty.

Lands sold to
the Peorias, &c.

ART. XXII. The land in the second and fourth articles of this treaty proposed to be purchased from the Senecas and Quapaws, and lying south of Kansas, is hereby granted and sold to the Peorias, &c. and shall be paid for at the rate paid for the same by the Government, out of the proceeds of the nine and a half sections referred to in the last preceding article, adding thereto whatever may be necessary out of other moneys in the hands of the United States belonging to the said Peorias, &c.

Indians to re-
move to new
homes within,
&c.

ART. XXIII. The said Indians agree to dispose of their allotments in Kansas and remove to their new homes in the Indian country within two years from the ratification of this treaty; and to that end the Secretary of the Interior is authorized to remove altogether the restrictions upon the sales of their lands, provided under authority of the third article of the treaty of May thirtieth, one thousand eight hundred and fifty-four, in such manner that adult Indians may sell their own lands, and that the lands of minors and incompetents may be sold by the chiefs, with the consent of the agent, certified to the Secretary of the Interior and approved by him. And if there should be any allotments for which no owner or heir thereof survives, the chiefs may convey the same by deed, the purchase money thereof to be applied, under the direction of the Secretary, to the benefit of the tribe; and the guardianship of orphan children shall remain in the hands of the chiefs of the tribe; and the said chiefs shall have the exclusive right to determine who are members of the tribe, and entitled to be placed upon the pay-rolls.

* * * * *

ART. XXVI. The Peorias, Kaskaskias, Weas, and Piankeshaws agree that the Miamies may be confederated with them upon their new reservation, and own an undivided right in said reservation in proportion to the sum paid, upon the payment by the said Miamies of an amount which, in proportion to the number of the Miamies who shall join them, will be equal to their share of the purchase money in this treaty provided to be paid for the land, and also upon the payment into the common fund of such amount as shall make them equal in annuities to the said Peorias, &c., the said privilege to remain open to the Miamies two years from the ratification of this treaty.

Miamies may be united with the Peorias, &c.

- (a) See Nos. 1719, 1721, 1723.
(b) See Nos. 1721, 1722, 1723, 1749.
(c) See No. 1726.

No. 1746.—EXECUTIVE ORDERS relating to Cheyenne and Arapahoe reserve.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
June 19, 1869.

Annual Report
Commissioner
Indian Affairs,
1878, p. 251.

SIR: I have the honor to acknowledge the receipt, by reference from the Secretary of the Interior on the 10th instant, of a letter from Adjutant-General E. D. Townsend, bearing date the 9th instant, inclosing a copy of a telegram dated Fort Leavenworth, Kans., June 8, 1869, from Maj.-Gen. J. M. Schofield to General W. T. Sherman, recommending that the reservation for the Arapahoe Indians be changed from its present location to the north fork of the Canadian River, and requesting a report thereon from this office.

By the terms of the treaty with the Cheyenne and Arapahoe tribes of Indians, proclaimed August 19, 1868, it is provided in the second article thereof that "the United States agrees that the following district of country, to wit: Commencing at the point where the Arkansas River crosses the thirty-seventh parallel of north latitude; thence west on said parallel—the said line being the southern boundary of the State of Kansas—to the Cimarron River (sometimes called the Red Fork of the Arkansas River); thence down said Cimarron River, in the middle of the main channel thereof, to the Arkansas River; thence up the Arkansas River, in the middle of the main channel thereof, to the place of beginning, shall be, and the same is hereby, set apart for the absolute and undisturbed use and occupation of the Indians herein named, and for such other friendly tribes or individual Indians as from time to time they may be willing, with the consent of the United States, to admit among them."

It will be seen from the language of the second article of said treaty, just quoted, that a reservation upon which they are now located has already been provided for said Indians within the boundaries in said article designated, but I am of opinion that it would be better for both the Indians and the Government if they were to be removed to the north fork of the Canadian River in accordance with the suggestions of General Schofield, provided any authority can be found for removing and locating said Indians in the manner contemplated.

Should you be of opinion that such authority exists, and determine in pursuance thereof to cause a removal of said Indians to be made from their present reservation, I would suggest that a tract of country be set aside for their occupation and use bounded as follows, viz: Commencing at the point where the Washita River crosses the ninety-eighth degree of west longitude; thence north on a line with said ninety-eighth degree to the point where it is crossed by the Red Fork of the Arkansas (sometimes called the Cimarron River); thence up said river, in the middle of the main channel thereof, to the north boundary of the country ceded to the United States by the treaty of June 14, 1866, with the Creek nation of Indians; thence west on said north boundary and the north boundary of the country ceded to the United States by the treaty of March 21, 1866, with the Seminole Indians, to the one hundredth degree of west longitude; thence south on the line of said one hundredth degree to the north boundary of the country set apart for the Kiowas and Comanches by the second article of the treaty concluded October 21, 1867, with said tribes; thence east along said boundary to the point where it strikes the Washita River; thence down said Washita River, in the middle of the main channel thereof, to the place of beginning.

New boundaries suggested.

The territory comprised within the boundaries last above designated contains a small portion of the country ceded to the United States by the terms of the treaty with the Creek Indians concluded June 14, 1866; a portion of the country ceded to the United States by the terms of the treaty with the Seminole Indians concluded March 21, 1866, and the remainder is composed of a portion of what is commonly known as the "leased country."

Inasmuch as this office has no information upon the subject, except that conveyed by the telegram of General Schofield, which is very meager and indefinite, I am unable to determine the causes which seem to require this change, and I would therefore respectfully suggest, unless there is some pressing necessity which will admit of no delay, whether it would not be well to refer the matter to the proper officers of this bureau for investigation and report before any action is taken.

The letter of Adjutant-General Townsend, together with the copy of the telegram of General Schofield, are herewith returned.

Very respectfully, &c.,

E. S. PARKER, *Commissioner*.

Hon. W. T. OTTO, *Acting Secretary of Interior*.

Annual Report
Commissioner
Indian Affairs,
1878, p. 232.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, D. C., August 10, 1869.

SIR: Referring to my report to you of the 19th of June last, relative to the change of location of the reservation for the Cheyenne and Arapahoe Indians, I now have the honor to submit, herewith, copies of the following letters relative to this subject, viz:

Letter from Superintendent Hoag, dated the 31st ultimo, inclosing letter from Brevet Major-General Hazen, dated the 24th ultimo.

Letter from Superintendent Hoag, dated the 4th instant, inclosing letter from General Hazen, dated the 2d instant.

It appears from these letters that the Cheyennes and Arapahoes did not understand the location of the reservation as defined by the treaty of August 19, 1868; that they have never been upon said reserve, and do not desire to go there, but that they desire to locate on the North Fork of the Canadian some 60 miles below Camp Supply; that the agent for these tribes has a large quantity of valuable stores in this locality, which are very much exposed.

New location
recommended.

Inasmuch as these Indians express a desire to be located upon a reserve, I think it very desirable that their wishes should be gratified, and that they be not permitted to again roam on the plains. I therefore respectfully recommend that the President be requested to authorize the location of these Indians on the north fork of the Canadian River, where they desire to go, and that immediate steps be taken to provide temporarily for them there. The country desired by them is public land, and I think it competent for the President to direct their location thereon. In view, however, of the fact that these Indians have a reservation defined for them by treaty stipulation, legislation can be asked of Congress at the coming session to insure a permanent reservation for them where they may locate, and abandon as a reservation the present one, restoring it to the public lands. (a)

Very respectfully, your obedient servant,

E. S. PARKER, *Commissioner*.

Hon. J. D. COX, *Secretary of the Interior*.

August 10, 1869.—The recommendation of the Indian Commissioner approved.

J. D. COX, *Secretary*.

Approved.

Approved August 10, 1869.

U. S. GRANT, *President*.

(a) See Nos. 1741, 1750.

No. 1747.—AN ACT making appropriations, &c.

July 15, 1870.
Vol. 16, p. 335.

[Permanent home in Indian Territory to be provided for Great and Little Osage Indians. See KANSAS, No. 2040.]

No. 1748.—EXECUTIVE ORDER relating to the Osage Reserve.

DEPARTMENT OF THE INTERIOR,
Washington, D. C., March 27, 1871.

Annual report
Commissioner of
Indian Affairs,
1878, p. 253.

Tract assigned
to Great and Lit-
tle Osages.

SIR: I have received your letters bearing date respectively the 7th, 11th, and 15th instant, in relation to the settlement of the Great and Little Osage Indians upon a tract of land to be assigned them within the Cherokee country. * * *

I concur in your recommendation that there be assigned and set off to the Great and Little Osages a tract situate within the Cherokee country described as follows: Beginning at a point where the ninety-sixth meridian of longitude west from Greenwich intersects the southern boundary of Kansas; thence south along said meridian to the line separating the Cherokee country from the Creek country; thence westward on said line to a point so that a line running from such point, parallel to said meridian, to the said boundary of Kansas, and with said boundary to the place of beginning, will inclose an area containing 560,000 acres. (a) * * *

Very respectfully, your obedient servant,

C. DELANO, *Secretary*.

The COMMISSIONER OF INDIAN AFFAIRS.

(a) See Nos. 1747, 1751.

No. 1749.—AN ACT to provide homes for the Pottawatomie and Absentee Shawnee Indians in the Indian Territory.

May 23, 1872.
Vol. 17, p. 159.

Be it enacted, &c., That the Secretary of the Interior be, and he is hereby, authorized and directed to issue certificates by which allotments of land lying within the thirty-mile square tract heretofore selected for the Pottawatomie Indians, and lying next west of the Seminole reservation in the Indian Territory, shall be made to each member of the Pottawatomie band, known as the Pottawatomie citizen band, as follows, viz: To each head of a family, and to each other member twenty-one years of age, not more than one quarter-section, and to each minor of the tribe not more than eighty acres; and such allotments shall be made to include, as far as may be practicable for each family, the improvements which they may have made. Certificates of such allotments shall be made in severalty, specifying the names of individuals to whom they have been assigned, and that said tracts are set apart for the exclusive and perpetual use and benefit of such assignees and their heirs. Until otherwise provided by law such tracts shall be exempt from levy, taxation, or sale, and shall be alienable in fee, or leased or otherwise disposed of only to the United States, or to persons of Indian blood, lawfully residing within said Territory with permission of the President and under such regulations as the Secretary of the Interior shall prescribe: *Provided*, That such allotments shall be made to such of the above-described persons as have resided or shall hereafter reside three years continuously on such reservation, and that the cost of such lands to the United States shall be paid from any fund now held, or which may be hereafter held by the United States for the benefit of such Indians, and charged as a part of their distributive share, or shall be paid for by said Indians before such certificates are issued: *Provided*, Said Pottawatomie Indians shall neither acquire nor exercise under the laws of the United States any rights or privileges in said Indian Territory, other than those enjoyed by the members of the Indian tribes lawfully residing therein. And for the protection of the rights of persons and property among themselves, they may enforce the laws and usages heretofore enforced among them as an Indian tribe, not inconsistent with the Constitution and laws of the United States, and shall be entitled to equitable representation in the general Territorial council, and subject to the general laws which it may legally enact. (a)

Allotments of
land to be made
to each member
of the Pottawa-
tomie citizen
band.

Quantity to
each.

Certificates of
allotments, how
made, and to
state what.

Lands to be ex-
empt, &c., and
alienable, &c.

Residence.

Cost, and how
paid.

Indians to ac-
quire no more
rights than, &c.

May enforce
usages.

Entitled to rep-
resentation.

Allotments of
land to the Ab-
sentee Shawnee
Indians.

To whom and
how made, &c.

SEC. 2. When it shall be shown to the satisfaction of the Secretary of the Interior that any Indian of pure or mixed blood of the Absentee Shawnees, being a head of a family, or a person over twenty-one years of age, has resided, continuously, for the term of three years within the thirty-mile square tract lying west of the Seminole reservation in the Indian Territory, and has made substantial improvements thereon, it shall be the duty of the Secretary of the Interior to issue to said Indian a certificate of allotment for eighty acres of land, to include, so far as may be practicable, his or her improvements, together with an addition

of twenty acres for each child under twenty-one years of age belonging to the family of said Indian, which certificate shall include the same provisions as are included in the certificates of allotments of lands to be issued under the provisions of the first section of this act. (b)

(a) See No. 1740.

(b) See Nos. 1721, 1722, 1723, 1745.

May 29, 1872.
Vol. 17, p. 165.

No. 1750.—AN ACT making appropriations for the current and contingent expenses of the Indian Department, and for fulfilling treaty stipulations with various Indian tribes, for the year ending June thirty, eighteen hundred and seventy-three, and for other purposes.

* * * * *

Appraisement to be made of certain Cherokee lands.

Secretary of the Interior to negotiate with Southern Cheyennes and Arapahoes for the release of land ceded to them, and for what consideration.

Report to Congress.

SEC. 5. That the President of the United States and the Secretary of the Interior are hereby authorized to make an appraisement of the Cherokee lands lying west of the ninety-sixth meridian of west longitude, and west of the land of the Osage Indians, in the Indian Territory, and south of the southern line of the State of Kansas, ceded to the United States by the Cherokee Indians under their treaty of July nineteenth, eighteen hundred and sixty-six, for the settlement of friendly Indians, and report the same to Congress: (a) *Provided*, That the Secretary of the Interior be, and he hereby is, authorized to negotiate with the Southern Cheyennes and Arapahoes for the relinquishment of their claim to the land ceded to them by the second article of the treaty of October twenty-eighth, eighteen hundred and sixty-seven, out of the cession made by the Cherokees in the treaty of July nineteen, eighteen hundred and sixty-six; such relinquishment, if obtained, to be in consideration of a sufficient and permanent location for the said Cheyennes and Arapahoes, upon the lands ceded to the United States by the Creeks and Seminoles in the treaties of March twenty-first and June fourteenth, eighteen hundred and sixty-six; and that the Secretary report the action taken by him under this provision to Congress at its next session. (b)

(a) See Nos. 1715, 1718, 1724, 1728, 1737.

(b) See Nos. 1720, 1725, 1731, 1738, 1739, 1741, 1746, 1752.

June 5, 1872.
Vol. 17, p. 228.

No. 1751.—AN ACT to confirm to the Great and Little Osage Indians a reservation in the Indian Territory.

Preamble.

Reservation of the Great and Little Osage Indians.

Whereas by the treaty of eighteen hundred and sixty-six between the United States and the Cherokee nation of Indians, said nation ceded to the United States all its lands west of the ninety-sixth meridian west longitude, for the settlement of friendly Indians thereon; and whereas by act of Congress approved July fifteenth, eighteen hundred and seventy, the President was authorized and directed to remove the Great and Little Osage Indians to a location in the Cherokee country west of the ninety-sixth meridian, to be designated for them by the United States authorities; and whereas it was provided by the same act of Congress that the lands of the Osages in Kansas should be sold by the United States, and so much of the proceeds thereof as were necessary should be appropriated for the payment to the Cherokees for the lands set apart for the said Osages west of the ninety-sixth meridian; and whereas under the provisions of the above-mentioned treaty and act of Congress and concurrent action of the authorities of the United States and the Cherokee nation, the said Osages were removed from their former homes in the State of Kansas to a reservation set apart for them in the Indian Territory, at the time of the removal supposed to be west of the said ninety-sixth meridian, and bounded on the east thereby, and upon which said Osages have made substantial and valuable improvements; and whereas by a recent survey and establishment of the ninety-sixth meridian it appears that the most valuable portion of said Osage reservation, and upon which all their improvements are situated, lies east of the said meridian; and whereas it therefore became necessary to select other lands in lieu of those found to be east of the established ninety-sixth meridian for said Osage Indians; and whereas a tract has accordingly been selected, lying between the western boundary of the reservations heretofore set apart for said Indians and the main channel of the Arkansas River, with the south line of the State of Kansas for a northern boundary, and the north line of the

Creek country and the main channel of the Arkansas River for a southern and western boundary; and whereas the act of Congress approved July fifteenth, eighteen hundred and seventy, restricts the said reservation for said Osage Indians to "a tract of land in compact form equal in quantity to one hundred and sixty acres for each member of said tribe;" and whereas in a letter of the Cherokee delegation, addressed to the Secretary of the Interior on the eighth day of April, eighteen hundred and seventy-two on behalf of the Cherokee nation, containing their approval of and assent to the proposition to provide for the settlement of the Osage and Kaw Indians on that portion of the Cherokee country lying west of the ninety-sixth degree west longitude, south of Kansas, east and north of the Arkansas River: Therefore,

Be it enacted, &c., That in order to provide said Osage tribe of Indians with a reservation, and secure to them a sufficient quantity of land suitable for cultivation, the following-described tract of country, west of the established ninety-sixth meridian, in the Indian Territory, be, and the same is hereby, set apart for and confirmed as their reservation, namely: Bounded on the east by the ninety-sixth meridian, on the south and west by the north line of the Creek country and the main channel of the Arkansas River, and on the north by the south line of the State of Kansas: *Provided*, That the location as aforesaid shall be made under the provisions of article sixteen of the treaty of eighteen hundred and sixty-six, so far as the same may be applicable thereto: *And provided further*, That said Great and Little Osage tribe of Indians shall permit the settlement within the limits of said tract of land [of] the Kansas tribe of Indians, the lands so settled and occupied by said Kansas Indians, not exceeding one hundred and sixty acres for each member of said tribe, to be paid for by said Kansas tribe of Indians out of the proceeds of the sales of their lands in Kansas, at a price not exceeding that paid by the Great and Little Osage Indians to the Cherokee nation of Indians. (a)

(a) See Nos. 1747, 1748.

A tract of land west of the 96th meridian set apart as a reservation for the Great and Little Osage Indians. Boundaries.

Location.

Kansas Indians may be settled on the tract of the Great and Little Osage tribes.

No. 1753.—To authorize the Secretary of the Interior to negotiate with the Creek Indians for the cession of a portion of their reservation, occupied by friendly Indians.

March 3, 1873.
Vol. 17, p. 626.

Whereas by the third article of the treaty concluded with the Creek Indians June fourteenth, eighteen hundred and sixty-six, said Indians ceded to the United States, for the settlement of friendly Indians and freedmen, the west half of their entire domain, to be divided by a line running north and south; and whereas the recent survey of said line, made in conformity with the provisions of said treaty, includes within the limits of the Creek reservation, east of said line, some of the improvements made on a reservation selected on what was supposed to be the Creek ceded lands, for the Seminole tribe of Indians, which reservation is provided for in their treaty of March first, eighteen hundred and sixty-six, and also some of the improvements of the Sacs and Foxes, of the Mississippi tribe of Indians, made on a reservation intended to be established in accordance with the provisions of their treaty of February eighteenth, eighteen hundred and sixty-seven; and whereas said improvements have been made upon said lands by and for the aforesaid Indians, who have settled thereupon in good faith, in accordance with treaty stipulations; and whereas it is necessary, in order to secure these improvements to said Indians, and to insure them suitable reservations, that the lands occupied thereby should be granted to them; Therefore,

Preamble

Be it enacted, &c., That the Secretary of the Interior be, and he hereby is, authorized to negotiate with the aforesaid Creek Indians for the relinquishment to the United States of such portions of their country as may have been set apart in accordance with treaty stipulations, for the use of the Seminoles, and the Sacs and Foxes of the Mississippi tribes of Indians, respectively, found to be east of the line separating the Creek ceded lands from the Creek reservation, and also to negotiate and arrange with said tribes for a final and permanent adjustment of their reservations; and the Secretary shall report the result to Congress. (a)

Secretary of the Interior may negotiate with the Creek Indians for the cession of a portion of their reservation.

Report to Congress.

(a) See Nos. 1720, 1725, 1731, 1738, 1739, 1744, 1752.

March 3, 1875. **No. 1753.**—AN ACT to establish the boundary line between the State of Arkansas
Vol. 18, p. 476. and the Indian country.

[Boundary between Arkansas and Indian Territory. See ARKANSAS,
No. 1257.]

April 10, 1876.
Vol. 19, p. 98.

No. 1754.—AN ACT to authorize the sale of the Pawnee reservation.
[Reservation in Indian Territory set apart for Pawnee Indians. See
NEBRASKA, No. 2126.]



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